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Rebecca McDowell Cook
Secretary of State

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Secretary of State
Rebecca McDowell Cook

Administrative Rules Division
State Information Center
600 W. Main
Jefferson City, MO 65101

EDITORS

BARBARA MCDUGAL

KATHREN CHOATE

•

ASSOCIATE EDITORS

CURTIS W. TREAT

SALLY L. REID

JAMES MCCLURE

•

PUBLISHING STAFF

CARLA HERTZING

SANDY SANDERS

WILBUR HIGHBARGER

TERRIE ARNOLD

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule.

Missouri Depository Libraries

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HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 24, *Missouri Register*, page 27. The approved short form of citation is 24 MoReg 27.

The rules are cited in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—Cite material in the RSMo by date of legislative action. The note in parentheses gives the original and amended legislative history. The Office of the Revisor of Statutes recognizes that this practice gives users a concise legislative history.

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rule-making process. The law provides that for every proposed rule, amendment or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least 30 days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than 30 days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the 90-day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than 30 days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 70—State Board of Chiropractic Examiners Chapter 2—General Rules

PROPOSED AMENDMENT

4 CSR 70-2.050 Examination. The board is proposing to amend sections (1), (4) and (7).

PURPOSE: This amendment defines a passing score for the board's jurisprudence examination. This amendment also changes the word physical therapy to physiotherapy to adopt the terminology used within the profession.

(1) All applicants for a certificate of registration shall pass all parts of the written examination administered by the National Board of

Chiropractic Examiners (N.B.C.E.), including Parts I, II, III (the Written Clinical Competency Examination) and the elective section on *[Physical Therapy] Physiotherapy*. Additionally, all applicants shall pass the regional/national practical examination (Part IV) administered by the N.B.C.E., and an examination over the Missouri statutes, rules and regulations. If the board determines that Part IV of the N.B.C.E. examination no longer meets the practical examination requirements under section 331.030.6, RSMo, or if the board determines for any reason that it should administer a practical examination, applicants shall pass the practical examination administered by the board. The time and location of each examination may be obtained by writing the board's executive director.

(4) The following documentation should be in the board office prior to licensure:

(B) Official National Board of Chiropractic/e/ Examiners transcripts (Parts I, II, III, IV and the elective on Physiotherapy). A Part IV transcript is not required if the applicant is applying to take a practical examination administered by the board.

(7) Requirements for a passing grade are—

(A) The applicant must achieve a composite score of seventy-five percent (75%) on the N.B.C.E. Part IV examination, or score seventy-five percent (75%) in each section of the board's practical examination. **The applicant must also achieve a composite score of seventy-five percent (75%) on the exam over the Missouri statutes, rules and regulations;** and

(B) The applicant will be required to retake only the failed section(s), if any, of the board's practical examination **or the examination over the Missouri statutes, rules and regulations**, upon payment of the reexamination fee.

AUTHORITY: sections 331.030 and 331.050, RSMo [Supp. 1998] Supp. 1999 and 331.100.2, RSMo 1994. Original rule filed Dec. 17, 1975, effective Dec. 27, 1975. For intervening history, please consult the Code of State Regulations. Amended: Filed March 15, 2000.

PUBLIC COST: The public entity cost for this proposed amendment is estimated to be less than \$500 in the aggregate.

PRIVATE COST: The private entity cost for this proposed amendment is estimated to be less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Board of Chiropractic Examiners, P.O. Box 672, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 70—State Board of Chiropractic Examiners Chapter 2—General Rules

PROPOSED AMENDMENT

4 CSR 70-2.100 Professional Corporations. The board is proposing to amend subparagraph (2)(B)3.B. and delete the forms that immediately follow this rule in the *Code of State Regulations*.

PURPOSE: This amendment allows licensees to use other terms in professional corporation names to more accurately reflect the services offered when other health care professionals are

employed. The amendment does not diminish the requirement of the statute; however, it allows the licensee some flexibility when other health care services are available.

(2) Professional Corporations—Name Approval.

(B) In order for the board to consider approval of a name requested by a licensee for a professional corporation, the following conditions must be met:

1. The applicant shall submit his/her request for the corporate name approval to the board on forms provided by the board and shall supply all of the information requested. The form shall be submitted under oath or affirmation indicating that the matters set forth are true and correct based upon the applicant's best knowledge and belief, subject to the penalties of making a false affidavit and declaration and indicating that the applicant has been authorized by the corporation to make the application;

2. At the time of application, the applicant shall provide to the board a copy of the current professional license, certificate or permit, as the case may be, of each shareholder of the professional corporation;

3. The professional corporation name shall meet the following requirements:

A. Shall contain, after August 13, 1986, the words professional corporation or the abbreviation P.C. in the corporate name, as required by section 356.071, RSMo;

B. Shall contain the words chiropractic, chiropractor, chiropractic physician, doctor of chiropractic or D.C. **where the purpose of the professional corporation is solely to provide the services of a chiropractor licensed under the provisions of Chapter 331, RSMo. The professional corporation name does not need to contain the words chiropractic, chiropractor, chiropractic physician, doctor of chiropractic or D.C. if the purpose of the professional corporation is to engage in the practice of chiropractic as well as provide the health care service of another licensed professional described in subsection (1)(B) of this rule and the professional corporation provides such other health care service at least twenty (20) hours per month. The professional corporation name shall contain the words chiropractic, chiropractor, chiropractic physician, doctor of chiropractic or D.C. if the professional corporation engages in the practice of chiropractic as well as the health care service of another licensed professional described in subsection (1)(B) of this rule, if the professional corporation fails to employ, due to death, termination or resignation, such other licensed professional for a period of or exceeding six (6) months;**

C. Shall not indicate or suggest by its terms an official status or affiliation with any state, county, municipal or other governmental entities;

D. Shall not contain deceptive, misleading or self-laudatory terminology; and

E. Shall not contain terms suggesting or relating to other regulated health care professions other than chiropractic unless the professional corporation is composed of members of more than one (1) health care profession as provided by section 356.051, RSMo;

4. Any change in a professional corporation name must have the approval of the State Board of Chiropractic Examiners prior to the name change being filed with the Office of the Secretary of State as provided for by section 356.041.3, RSMo. If the board approves the request, it shall issue a certificate approving the change of the corporate name; and

5. The application form for either the approval of a corporate name or approval of a change in a corporate name shall be accompanied by a processing fee.

AUTHORITY: sections 331.060.2(14)(e), 331.070, 331.100.2, 356.041.4, 356.111 and 356.191, RSMo 1994. Original rule filed April 8, 1983, effective July 11, 1983. For intervening history,

please consult the Code of State Regulations. Amended: Filed March 15, 2000.

PUBLIC COST: The public entity cost for this proposed amendment is estimated to be less than \$500 in the aggregate.

PRIVATE COST: The private entity cost for this proposed amendment is estimated to be less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Board of Chiropractic Examiners, P.O. Box 672, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 90—State Board of Cosmetology
Chapter 1—Organization and Description of Board**

PROPOSED AMENDMENT

4 CSR 90-1.010 General Organization. The board is proposing to amend section (3).

PURPOSE: This rule is being amended to increase the board member per-diem rate, pursuant to sections 329.190 and 329.191, RSMo as was amended by H.B. 343 of the 90th session of the General Assembly.

(3) Each member of the State Board of Cosmetology shall receive the sum of *[fifty dollars (\$50)] seventy dollars (\$70)* as compensation for each day actually spent in attendance at meetings of the board, within the state, not to exceed forty-eight (48) days in any calendar year and in addition they shall be reimbursed for all necessary expenses incurred in the performance of their duties as members of the board.

AUTHORITY: sections 329.190 and 329.191, RSMo Supp. 1999 and 329.230, RSMo 1994. Original rule filed April 6, 1976, effective Sept. 11, 1976. For intervening history, please consult the Code of State Regulations. Amended: Filed March 15, 2000.

PUBLIC COST: The public entity cost for this proposed amendment is estimated to be an increase of \$2,520 annually for the life of the rule. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Board of Cosmetology, Pamela A. Hoelscher, Executive Director, P.O. Box 1062, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC ENTITY COST**

I. RULE NUMBER

Title: 4 – Department of Economic Development

Division: 90 - Division of Professional Registration/State Board of Cosmetology

Chapter: 1 – Organization and Description of the Board

Type of Rulemaking: Proposed Amendment

Rule Number and Name: 4 CSR 90-1.010

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Annual Increase to Comply
State Board of Cosmetology	\$2,520.00

III. WORKSHEET

Per Diem Increase per Board Member - \$20.00

IV. ASSUMPTIONS

1. The State Board of Cosmetology is currently made up of seven (7) members.
2. The board currently holds two (2) day board meetings during the odd numbered months and one (1) day meetings during the even numbered months. Therefore, it is estimated that each board member will receive an increase of \$20.00per diem for eighteen (18) days per year.
3. The public entity cost for this proposed amendment is estimated to be an increase of \$2,520.00 annually for the life of the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 90—State Board of Cosmetology
Chapter 2—Cosmetology Schools**

PROPOSED AMENDMENT

4 CSR 90-2.010 Schools. The board is proposing to amend section (5)(D) and delete the forms that immediately follow this rule in the *Code of State Regulations*.

PURPOSE: This rule is being amended to allow a longer leave period for a school to terminate a student if the student makes a written request to the school.

(5) School Requirements.

(D) *[It shall be the responsibility of the holder of the]* **All persons holding a license to operate a cosmetology school** *[, within two (2) weeks of the termination of training by any of the school's students, to submit to the board a properly completed termination form for the student]* **shall be responsible for submitting properly completed termination forms for all students who terminate their training. Cosmetology school license holders are responsible for obtaining termination forms from the board. Termination forms must be submitted within two (2) weeks of the date of student's termination. The date of a student's termination is either: 1) the date the student affirmatively indicates to the school his/her intent to terminate training; or 2) the last day of any one week period during which the student failed to attend a single class. However, a school shall not terminate a student for up to six (6) weeks if the student notifies the school in writing of his/her leave of absence and the student's anticipated date of return. If the student does not return on the anticipated date of return, the school shall automatically terminate the student on that date. [The termination shall be on a form provided by the board and shall contain or be accompanied by the following information: the name and address of the student; the number of training hours completed by the student, allocated by subject area; the date of the student's termination; the school seal; a certification of payment/nonpayment of contractual fees completed by the school on a form provided by the board and the student license. The phrase, training hours, is defined as the number of hours a student was in attendance at the school and for which time the school kept a record of those hours for instruction or training.]**

AUTHORITY: sections 329.040, 329.050 329.120 and 329.210, *RSMo Supp. 1999* and 329.230, *RSMo 1994*. This version of rule filed June 26, 1975, effective July 6, 1975. For intervening history, please consult to the *Code of State Regulations*. Amended: Filed March 15, 2000.

PUBLIC COST: This proposed amendment will not cost state agency or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Board of Cosmetology, Pamela A. Hoelscher, Executive Director, P.O. Box 1062, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 90—State Board of Cosmetology
Chapter 3—Students**

PROPOSED AMENDMENT

4 CSR 90-3.010 Students. The board is proposing to amend subsections (1)(C), (2)(C), (4)(A), (4)(B), and (4)(C) of this rule.

PURPOSE: This rule is being amended to clarify the minimum requirements for examination and requires students/apprentices to submit a change of status when he/she desires to change a course in which they are currently enrolled or wishes to obtain additional hours. An apprentice who changes his/her location (not supervisors) will also be required to submit a change of status as well as a course change. This rule is also being amended to limit the number of times a candidate is permitted to take the examination prior to returning to school for additional hours.

(1) Registration.

(C) Change of Status. *[For any student/apprentice desiring to make a change to his/her original enrollment application, continue training at the time application is made for examination or continue training beyond the expiration of the student/apprentice license, an application for change of status shall be made to the board on a form supplied by the board.]* For any student desiring to change the course in which he/she is currently enrolled or who wishes to obtain additional hours (beyond hours required by the board even if license is still within the five (5)-year limit) he/she will be required to make application for change of status. Any other alteration (such as change of school and/or location) will require a termination. For an apprentice who changes his/her course or location (not supervisors) a change of status is required. A student license will be good for a maximum of five (5) years from the date of issuance of the license at that location, unless terminated from the school. An application for change of status shall be made to the board on a form supplied by the board. The form shall be accompanied by the student/apprentice license and the enrollment application fee and shall be postmarked no later than three (3) days from the effective date of the change of status. The change of status application shall include an interim certificate which shall be valid for twenty (20) days from the date of application and shall be retained by the school/shop to serve as the training license for the student/apprentice until the amended license is received from the board.

(2) Qualification for State Exam.

(C) For the purpose of meeting *[,]* the minimum requirements for examination, training hours completed by a student or apprentice shall be recognized by the board for a period of *[no more than]* five (5) years from the date *[it is received]* the board issues the relevant student or apprentice license to the person.

(4) Failure of State Exam.

(A) Any person desiring to retake an examination for any reason will be required to submit a Re-Examination Notification Form to the board office. The regular examination fee, along with an Examination Scheduling Request Form, must be submitted to the test administrator's office before being scheduled for the examination.

(B) Any person that fails any portion of the cosmetology examination three (3) times shall be required to obtain additional training of not less than forty (40) hours in each of those subjects failed, not to exceed one hundred sixty (160) hours total. The additional training shall be certified by any school of cosmetology licensed by this board.

(C) Any apprentice that fails any portion of the cosmetology examination three (3) times shall be required to obtain additional training of not less than eighty (80) hours in each of those subjects failed, not to exceed three hundred twenty (320) hours total. The additional training shall be certified by an apprentice supervisor licensed by this board.

AUTHORITY: sections 329.040, 329.050 and 329.210, RSMo [Supp. 1998] Supp. 1999 and 329.070 and 329.230, RSMo 1994. This version of rule filed June 26, 1975, effective July 6, 1975. For intervening history, please consult the Code of State Regulations. Amended: Filed March 15, 2000.

PUBLIC COST: This proposed amendment will not cost state agency or political subdivision more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities an estimated \$54,000 annually for the life of the rule. It is anticipated that the total cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Board of Cosmetology, Pamela A. Hoelscher, Executive Director, P.O. Box 1062, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PRIVATE ENTITY COST****I. RULE NUMBER – 4 CSR 90-3.010**

Title 4 – Department of Economic Development

Division 90 – Missouri State Board of Cosmetology

Chapter 3 – Students

Rule Number and Name – 4 CSR 90-3.010 (4) (B) Students

II. SUMMARY OF FISCAL IMPACT

Classifications	\$	# Affected	Estimated Annual Cost
Class CA, CH, MO, ES, IN	\$240	225	\$54,000
Total	\$240	225	\$54,000

The cost of enrollment in a cosmetology school for an average of 80 additional hours of training will be approximately \$240. Based on the assumption that the same number of candidates fail the examination three consecutive times each year, it is anticipated that the total aggregate cost will recur annually over the life of the rule.

III. WORKSHEET

None

IV. ASSUMPTIONS

1. It is anticipated that 225 CA, CH, MO ES, and IN candidates will fail the licensure examination three (3) consecutive times each year; therefore, these candidates will be required to obtain additional education/training at \$240 per individual for an aggregate cost of \$54,000.
2. Total aggregate cost for CA, CH, MO, ES, IN is \$54,000 each year for the life of the rule provided 225 candidates fail the exam each year.

***Definitions:**

Class CA – Cosmetology all

Class CH – Hairdresser

Class MO – Manicurist

Class ES – Esthetician

Class IN – Instructor

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 90—State Board of Cosmetology
Chapter 4—Beauty Shops**

PROPOSED RESCISSION

4 CSR 90-4.020 Practice Outside of or Away from Beauty Shops. This rule explained the licensing procedure and requirements for the practice of a licensee practicing one of the classified occupations of cosmetologist, hairdresser or manicurist outside of or away from his/her principal office, place of business or employment as authorized in section 329.110.2, RSMo.

PURPOSE: The board is proposing to rescind this rule and propose a new rule that more clearly details the practice of one of the classified occupations of cosmetologist, hairdresser, or manicurists outside of or away from his/her principal office, place of business or employment.

AUTHORITY: section 329.230, RSMo 1986. Original rule filed Dec. 7, 1983, effective March 13, 1984. Amended: Filed Aug. 2, 1990, effective Dec. 31, 1990. Rescinded: Filed March 15, 2000.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri State Board of Cosmetology, Pamela A. Hoelscher, Executive Director, P.O. Box 1062, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 90—State Board of Cosmetology
Chapter 4—Beauty Shops**

PROPOSED RULE

4 CSR 90-4.020 Practice Outside of or Away from Beauty Shops

PURPOSE: This rule explains the licensing procedure and requirements for the practice of a licensee practicing one of the classified occupations of cosmetologist, hairdresser or manicurist outside of or away from his/her principal office, place of business or employment as authorized in section 329.110.2, RSMo.

(1) As used in this rule, the following terms shall mean:

(A) Licensed shop means a bona fide principal office, place of business or employment, licensed by the board, which is regularly operated for the purpose of engaging in the practice of cosmetology;

(B) Principal shop means the shop where the licensee is employed the majority of the time (no less than fifty-one percent (51%)) of the total hours per week employed.

(2) Certificate of Identification.

(A) Requirement. Each and every time a licensee provides cosmetology services to any person outside a licensed salon, the licensee must deliver a completed certificate of identification to person receiving the cosmetology services. The licensee shall

deliver the completed certificate of identification prior to performing any cosmetology services.

1. Every certificate of identification shall include the following information:

A. The licensee's name;

B. The licensee's signature;

C. The licensee's operator license number;

D. The expiration date of licensee's operator license;

E. The post office address of the person receiving the cosmetology services; and

F. The date the licensee delivered the certificate of identification to the person receiving the cosmetology services.

2. Any licensee may obtain a form certificate of identification from the board free of charge. A licensee may obtain this form certificate of identification upon written request to the board office. Licensees may reproduce the form certificate of identification as needed.

(B) Use. Licensees may use certificates of identification to provide only those cosmetology services that the licensee is licensed and trained to perform. All licensees performing services outside a licensed salon with a certificate of identification must comply with all relevant sanitation regulations governing the practice of cosmetology.

(3) Portable Kit Requirements.

(A) All supplies and implements shall be transported in an airtight container containing an active fumigant, and all implements, towels and instruments shall be sterilized and wrapped or stored in individual plastic containers.

(B) Sterilized implements, towels and instruments shall be kept completely separate and apart from used materials.

(4) The board prohibits persons licensed in accordance with section 329.020, RSMo, from contracting with, being employed by or being provided space or leasing space from a nursing home, hospital or similar health care facility for the purpose of establishing a bona fide place of business for the purpose of practicing cosmetology without a shop license.

AUTHORITY: sections 329.110.2, RSMo Supp. 1999 and 329.230, RSMo 1994. Original rule filed Dec. 7, 1983, effective March 13, 1984. Amended: Filed Aug. 2, 1990, effective Dec. 31, 1990. Rescinded and readopted: Filed March 15, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri State Board of Cosmetology, Pamela A. Hoelscher, Executive Director, P.O. Box 1062, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 90—State Board of Cosmetology
Chapter 11—Sanitation**

PROPOSED AMENDMENT

4 CSR 90-11.010 Sanitation. The board is proposing to add subsections (2)(I) and (2)(J).

PURPOSE: This rule is being amended to prohibit the use of nail adhesive products containing the Methyl Methacrylate (MMA) monomer.

(2) Sanitation Requirements.

(I) No cosmetology licensee shall provide any cosmetology services that involve the use of any liquid product containing Methyl Methacrylate. Licensees are responsible for ensuring that their nail service products do not contain Methyl Methacrylate as a monomer agent for cosmetic nail applications or any other purpose. Products containing ethyl or butyl methacrylate are acceptable and may be used to provide nail services.

(J) Upon request from a board inspector, any licensee in any licensed cosmetology salon must be able to provide the Material Data Safety Sheet (MSDS) for all nail service products in the salon to verify that the chemicals in those nail service products are appropriate and safe for public use.

AUTHORITY: sections 329.035, 329.140 and 329.210, RSMo Supp. [1997] 1999 and 329.230, RSMo 1994. This version of rule filed June 26, 1975, effective July 6, 1975. For intervening history, please consult the Code of State Regulations. Amended: Filed March 15, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Board of Cosmetology, Pamela A. Hoelscher, Executive Director, P.O. Box 1062, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 90—State Board of Cosmetology Chapter 13—General Rules

PROPOSED AMENDMENT

4 CSR 90-13.010 Fees. The board is proposing to delete subsection 1)(O) and renumber the remaining subsections accordingly.

PURPOSE: This rule is being amended to delete the board fee for a certificate of identification. This fee was previously established for registration of a certificate of identification; however, pursuant to section 329.110.2, RSMo the holder of a certificate of identification no longer needs to be registered with the board.

(1) The following application fees hereby are established by the State Board of Cosmetology:

<i>[(O)] Certificate of Identification Fee</i>	<i>\$ 30.00]</i>
<i>[(P)] (O) Delinquent Fee (opening a shop without registering before opening)</i>	<i>\$100.00</i>
<i>[(Q)] (P) Photocopies/Printouts Fee (initial page/copy)</i>	<i>\$ 2.00</i>
<i>[(R)] (Q) Photocopies/Printouts Fee (per page/copy after that)</i>	<i>\$.50</i>
<i>[(S)] (R) Document Search Fee (per hour)</i>	<i>\$ 20.00</i>

<i>[(T)] (S) Handling Fee (Any uncollectible check or other uncollectible financial instrument)</i>	<i>\$ 15.00</i>
<i>[(U)] (T) *Esthetician Application Fee</i>	<i>\$ 30.00</i>

* Until July 1, 1999, any person licensed in Missouri as a Class CH or CA cosmetologist pursuant to Chapter 329, RSMo, may be licensed as an esthetician without examination if such person applies to the State Board of Cosmetology and pays a thirty-dollar (\$30) fee. After July 1, 1999, any licensed cosmetologist shall be required to complete the required training of seven hundred fifty (750) hours and pass the required examination as provided in section 329.040, RSMo, and as set forth in 4 CSR 90-3.010.

AUTHORITY: sections 329.110 and 329.210, RSMo [Supp. 1998] Supp. 1999. Emergency rule filed July 1, 1981, effective July 11, 1981, expired Nov. 11, 1981. Original rule filed July 1, 1981, effective Dec. 11, 1981. For intervening history, please consult the Code of State Regulations. Amended: Filed March 15, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Board of Cosmetology, Pamela A. Hoelscher, Executive Director, P.O. Box 1062, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 100—Division of Credit Unions Chapter 2—State-Chartered Credit Unions

PROPOSED RULE

4 CSR 100-2.045 Member Business Loans

PURPOSE: This rule establishes specific criteria for credit unions making member business loans.

(1) For purposes of this section, the following words and terms, shall have the following meanings, unless the context clearly indicates otherwise:

(A) "Associated member," any member with a common ownership, investment, or other pecuniary interest in the business or agricultural endeavor with the borrower.

(B) "Net worth," retained earnings as defined under Generally Accepted Accounting Principles.

(C) "Immediate family member," as defined in rule 4 CSR 105-3.010(2).

(D) "Director," the director of the Division of Credit Unions in the Missouri Department of Economic Development.

(2) A member business loan includes any loan, line of credit, or letter of credit, the proceeds of which will be used for a commercial, corporate, business investment property or venture, or agricultural purpose, except that the following types of loans shall not be considered member business loans for the purposes of this rule:

(A) A loan secured by a lien on a one to four (1-4)-family dwelling that is the member's primary residence;

(B) A loan fully secured by shares in the credit union making the extension of credit or deposits in other financial institutions;

(C) Loans that are substantially repaid from sources other than the loan related business. These loans must contain considerable documentation securing other income sources/collateral;

(D) Loan(s) otherwise meeting the definition of a member business loan made to a member or associated member that, in the aggregate, is fifty thousand dollars (\$50,000) or less;

(E) A loan where a federal or state agency or one of its political subdivisions, or another credit union fully insures repayment, or fully guarantees repayment, or provides an advance commitment to purchase in full; or

(F) A loan granted by a credit union to another credit union or corporate credit union service organization or natural person credit union service organization.

(3) A credit union that engages in member business lending shall adopt specific member business loan policies and procedures, and review such policy and procedures at least annually. Credit unions must submit business-lending policies and procedures to the Division of Credit Unions for review prior to commencing a member business loan program. The policies and procedures, at a minimum, shall address all of the following areas:

(A) Types of business loans to be made;

(B) The maximum amount of credit union assets, relative to credit union net worth, that will be invested in member business loans;

(C) The maximum amount of credit union assets, relative to credit union net worth, that will be invested in a given category or type of member business loan;

(D) The maximum amount of credit union assets, relative to credit union net worth, that will be loaned to any one member or group of associated members, subject to subsection (D) of this section;

(E) The qualifications and experience requirements for personnel involved in making and servicing business loans;

(F) Documented analysis of the member's initial and ongoing financial capacity to repay the debt;

(G) Receipt and periodic documentation supporting each request for an extension of credit, advance on a line of credit, or an increase in an existing loan or line of credit, which shall address all of the following:

1. A balance sheet;
2. An income statement;
3. A cash flow analysis;
4. Tax returns;
5. Leveraging; and

6. Receipt and the periodic updating of financial statements, tax returns, and other documentation;

(H) Collateral requirements which must include all of the following:

1. Loan-to-value (LTV) ratios, that for all liens cannot exceed eighty percent (80%) unless the value in excess of eighty percent (80%) is covered through private mortgage or equivalent insurance, or third party guarantee, but in no case can it exceed ninety-five percent (95%);

2. Appraisal, title search, determination of value and insurance requirements;

3. Steps to be taken to secure various types of collateral; and

4. Frequency of revaluation/marketability of collateral; and

(I) Identification, by position, of the officials and senior management employees who are prohibited from receiving member business loans that, at a minimum, shall include the credit union's chief executive officer, any assistant chief executive officers, the

chief financial officer, and any associated member or immediate family member of such persons.

(4) Unless waived by the director, the aggregate amount of outstanding member business loans to any one member or group of associated members shall not be more than fifteen percent (15%) of the credit union's net worth less the Allowance for Loan Losses account, or one hundred thousand dollars (\$100,000), whichever is greater. These limitations only apply to borrowers with member business loans. If any portion of a member business loan is secured by shares in the credit union or deposits in another financial institution, or is fully or partially insured or guaranteed by, or subject to an advance commitment to purchase by, any agency of the federal government or of a state or any of its political subdivisions, such portion shall not be calculated in determining the fifteen percent (15%) limit.

(5) Construction and development of commercial or residential property are subject to the following additional requirements:

(A) The aggregate of all construction and development loans must not exceed fifteen percent (15%) of the credit union's net worth. To determine the aggregate, a credit union may exclude any portion of a loan:

1. Secured by shares in the credit union;
2. Secured by deposits in another financial institution;
3. Fully or partially insured or guaranteed by any agency of the federal government, state, or its political subdivisions; or
4. Subject to an advance commitment to purchase by an agency of the federal government, state, or its political subdivisions;

(B) The member borrower and associated members must have a minimum of thirty-five percent (35%) equity interest in the project being financed; and

(C) The funds may be released only after on-site, written inspections are performed by qualified personnel. Funds shall be released only in accordance to a preapproved draw schedule and any other conditions set forth in the loan documentation or business plan.

(6) Unless waived by the director, the aggregate limit on a credit union's outstanding member business loans, including any unfunded commitments, is the lesser of 1.75 times the credit union's net worth or 12.25% of the credit union's total assets. Loans that are exempt from the definition of member business loans are not counted for the purpose of the aggregate loan limit.

(7) The following types of credit unions are exempt from the aggregate loan limit:

(A) Credit unions that have a low-income designation or participate in the Community Development Financial Institutions program; and

(B) Credit unions that were chartered for the purpose of making member business loans and that can provide documentary evidence of such purpose, including but not limited to the original charter, original bylaws, original business plan, original field of membership, board minutes and loan portfolio.

AUTHORITY: sections 370.070, 370.071, 370.100 and 370.310, RSMo 1994. Original rule filed March 7, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Division of Credit Unions, John Smith, Director, P.O. Box 1607, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

this notice in the Missouri Register. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 115—State Committee of Dietitians
Chapter 1—General Rules**

PROPOSED RULE

4 CSR 115-1.010 General Organization

PURPOSE: This rule complies with section 536.023(3), RSMo, which requires each agency to adopt, as a rule, a description of its operation and the methods and procedures whereby the public may obtain information or make submissions or requests.

(1) The purpose of the committee is to regulate the use of the title licensed dietitian and/or L.D., to protect the public from misuse or misrepresentation of that title and to implement and sustain a system for the examination and licensure of dietitians in this state.

(2) The director of the Division of Professional Registration or a designated representative of the division shall be responsible for keeping minutes of committee proceedings and perform other duties as directed by the committee and/or the division.

(3) Committee meetings will generally consist of establishing requirements for issuance and renewal of licenses, reviewing applications, interviewing applicants, investigating complaints and inquiries, and determining disciplinary actions regarding licensed dietitians.

(4) The public may obtain information from the committee or make submissions or requests by writing the executive director of the committee at 3605 Missouri Boulevard, P.O. Box 1335, Jefferson City, MO 65102 or by calling (573) 522-3438 or by electronic mail (E-mail) at diet@mail.state.mo.us. The TDD number is (800) 735-2966.

(5) Unless otherwise provided by the statutes or regulations, all meetings of the committee may be conducted according to *Robert's Rules of Order*.

AUTHORITY: sections 324.200, 324.203, 324.225 and 324.228, RSMo Supp. 1999. Original rule filed March 15, 2000.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions an estimated \$4,774 annually for the life of the rule. The cost of this rule will recur annually for the life of the rule; will vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Committee of Dietitians, Vanessa Beauchamp, Executive Director, P.O. Box 1335, Jefferson City, MO 65102-1335. To be considered, comments must be received within thirty days after publication of

Division of Professional Registration
FISCAL NOTE
PUBLIC ENTITY COST

I. RULE NUMBER

Title: 4 – Department of Economic Development

Division: 115 – State Committee of Dietitians

Chapter: 1 – General Rules

Type of Rulemaking: Proposed Rule

Rule Number and Name: 4 CSR 115-1.010 General Organization

Prepared December 27, 1999 by the State Committee of Dietitians of the Department of Economic Development.

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Annual Cost of Compliance for the Life of the Rule
State Committee of Dietitians	\$4,774

III. WORKSHEET

The costs for this rule are detailed in the table below and are based on the following assumptions:

- 1) Personal service costs are incurred for per diem, staff time to handle inquiries, prepare meeting agendas and to attend meetings of the council;
- 2) Expense and equipment costs are incurred for meeting preparation and committee expenses incurred for holding committee meetings;
- 3) Transfers are costs incurred for committee and staff support provided by the Division of Professional Registration (also includes data processing, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

Table 1 – Estimated Cost of Compliance by Category of Allocation

Category of Allocation	Licensure – 7%	Enforcement – 3%
Personal Service	\$ 1,498	\$ 428
Expense & Equipment	\$ 730	\$ 209
Transfers	\$ 1,485	\$ 424
TOTAL	\$ 3,713	\$ 1,061

IV. ASSUMPTIONS

In developing this fiscal note, the total public entity costs of the State Committee of Dietitians were determined by using the allotment figures for personal service, expense and equipment, and transfers based on actual costs incurred by a board of similar size. These annual costs will recur

each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of committee activity were identified: licensure and enforcement. The committee estimates 60% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 40% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs include rent and utilities. (See Table 2, 3 & 4)

Table 2– Allocation of Personal Service Dollars

Allotment	Percentage & Category	Dollar Amount
\$35,665	Licensure	\$21,399
\$35,665	Enforcement	\$14,266

Table 3– Allocation of Expense & Equipment Dollars

Allotment	Percentage & Category	Dollar Amount
\$17,391	Licensure	\$10,435
\$17,391	Enforcement	\$ 6,956

Table 4– Allocation of Transfer Dollars

Allotment	Percentage & Category	Dollar Amount
\$35,355	Licensure	\$21,213
\$35,355	Enforcement	\$14,142

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 7% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 3% of the time will be spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 115—State Committee of Dietitians
Chapter 1—General Rules**

PROPOSED RULE

4 CSR 115-1.020 Name and Address Changes

PURPOSE: This rule outlines the requirements and procedures for notifying the committee of name and address changes.

(1) A licensed dietitian shall ensure that the committee has the current legal name and address of the licensee.

(2) A licensed dietitian whose name is changed by marriage or court order shall notify the committee within thirty (30) days of the name change and provide a copy of the appropriate document verifying the name change.

(3) A licensed dietitian whose address or phone number has changed shall inform the committee in writing of the change within thirty (30) days of the effective date of this change.

AUTHORITY: sections 324.200, 324.203, 324.225 and 324.228, RSMo Supp. 1999. Original rule filed March 15, 2000.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions an estimated \$2,476 annually for the life of the rule. The cost of this rule will recur annually for the life of the rule; will vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate. The private entity cost associated with obtaining a replacement license and/or wallhanging license is detailed in the private entity fiscal note for proposed rule 4 CSR 115-2.050 Duplicate Licenses.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Committee of Dietitians, Vanessa Beauchamp, Executive Director, P.O. Box 1335, Jefferson City, MO 65102-1335. To be considered, comments must be received within thirty days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**Division of Professional Registration
FISCAL NOTE
PUBLIC ENTITY COST**

I. RULE NUMBER

Title: 4 – Department of Economic Development

Division: 115 – State Committee of Dietitians

Chapter: 1 – General Rules

Type of Rulemaking: Proposed Rule

Rule Number and Name: 4 CSR 115-1.020 Name and Address Changes

Prepared December 27, 1999 by the State Committee of Dietitians of the Department of Economic Development.

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Annual Cost of Compliance for the Life of the Rule
State Committee of Dietitians	\$2,476

III. WORKSHEET

The costs for this rule are detailed in the table below and are based on the following assumptions:

- 1) Personal service costs are incurred for per diem, staff time to handle inquiries, correspondence, and process name and address change requests and supporting documentation;
- 2) Expense and equipment costs are incurred for meeting preparation and committee expenses incurred in issuing and mailing duplicate dietitian licenses;
- 3) Transfers are costs incurred for committee and staff support provided by the Division of Professional Registration (also includes data processing, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

Table 1 – Estimated Cost of Compliance by Category of Allocation

Category of Allocation	Licensure – 4%	Enforcement – 1%
Personal Service	\$ 856	\$ 143
Expense & Equipment	\$ 417	\$ 70
Transfers	\$ 849	\$ 141
TOTAL	\$2,122	\$ 354

IV. ASSUMPTIONS

In developing this fiscal note, the total public entity costs of the State Committee of Dietitians were determined by using the allotment figures for personal service, expense and equipment, and transfers based on actual costs incurred by a board of similar size. These annual costs will recur each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of committee activity were identified: licensure and enforcement. The committee estimates 60% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 40% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs include rent and utilities. (See Table 2, 3 & 4)

Table 2— Allocation of Personal Service Dollars

Allotment	Percentage & Category	Dollar Amount
\$35,665	Licensure	\$21,399
\$35,665	Enforcement	\$14,266

Table 3— Allocation of Expense & Equipment Dollars

Allotment	Percentage & Category	Dollar Amount
\$17,391	Licensure	\$10,435
\$17,391	Enforcement	\$ 6,956

Table 4— Allocation of Transfer Dollars

Allotment	Percentage & Category	Dollar Amount
\$35,355	Licensure	\$21,213
\$35,355	Enforcement	\$14,142

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 4% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 1% of the time will spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 115—State Committee of Dietitians
Chapter 1—General Rules**

PROPOSED RULE

4 CSR 115-1.030 Complaint Handling and Disposition

PURPOSE: This rule establishes a procedure for the receipt, handling and disposition of public complaints pursuant to the mandate of section 620.010.15(6), RSMo.

(1) The Division of Professional Registration, in coordination with the State Committee of Dietitians, will receive and process each complaint made against any licensed dietitian in which the complaint alleges certain acts or practices that may constitute one (1) or more violations of the provisions of sections 324.200–324.225, RSMo, or administrative rules. Any member of the State Committee of Dietitians may file a complaint with the division or committee while holding office provided that member is excused from further committee deliberation or activity concerning the matters alleged within that complaint. Any division staff member or committee member may file a complaint pursuant to this rule in the same manner as any member of the public.

(2) Complaints shall be mailed or delivered to the following address: State Committee of Dietitians, 3605 Missouri Boulevard, P.O. Box 1335, Jefferson City, MO 65102.

(3) All complaints shall be made in writing and shall fully identify the complainant by name and address. Verbal or telephone communication will not be considered or processed as a complaint, however, the person making such communication will be asked to supplement the communication with a written complaint. Complaints may be based upon personal knowledge, or upon information and belief, reciting information received from other sources. Individuals with special needs, as addressed by the Americans with Disabilities Act, may notify the committee office at (573) 522-3438 for assistance. The text for the hearing impaired is (800) 735-2966.

(4) Each complaint received under this rule will be logged and maintained by the division. The log will contain a record of each complainant's name; the name and address of the subject(s) of the complaint; the date each complaint was received by the division/committee; a brief statement concerning the alleged acts or practices and the ultimate disposition of the complaint. This log shall be a closed record of the division.

(5) Each complaint received under this rule shall be acknowledged in writing. The complainant and licensee shall be notified of the ultimate disposition of the complaint.

(6) This rule shall not be deemed to limit the authority of the committee to file a complaint with the Administrative Hearing Commission charging the licensee with any actionable conduct or violation, whether or not such a complaint exceeds the scope of the acts charged in a preliminary public complaint filed with the committee.

(7) The division shall interpret this rule, which is required by law, to exist for the benefit of those members of the public who submit complaints to the committee. This rule is not deemed to protect, or inure the benefit of those licensees or other persons against whom the committee has instituted or may institute administrative or judicial proceedings concerning possible violations of the provisions of sections 324.200–324.225, RSMo.

AUTHORITY: sections 324.217, 324.228 and 620.010.15(6), RSMo Supp. 1999. Original rule filed March 15, 2000.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions an estimated \$26,531 annually for the life of the rule. The cost of this rule will recur annually for the life of the rule; will vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Committee of Dietitians, Vanessa Beauchamp, Executive Director, P.O. Box 1335, Jefferson City, MO 65102-1335. To be considered, comments must be received within thirty days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

Division of Professional Registration
FISCAL NOTE
PUBLIC ENTITY COST

I. RULE NUMBER

Title: 4 – Department of Economic Development

Division: 115 – State Committee of Dietitians

Chapter: 1 – General Rules

Type of Rulemaking: Proposed Rule

Rule Number and Name: 4 CSR 115-1.030 Complaint Handling and Disposition

Prepared December 27, 1999 by the State Committee of Dietitians of the Department of Economic Development.

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Annual Cost of Compliance for the Life of the Rule
State Committee of Dietitians	\$26,531

III. WORKSHEET

The costs for this rule are detailed in the table below and are based on the following assumptions:

- 1) Personal service costs are incurred for per diem, staff time to handle inquiries, correspondence, process complaints and supporting documentation, prepare meeting agendas, attend meetings of the committee and to implement committee/division directives;
- 2) Expense and equipment costs are incurred for meeting preparation and committee expenses incurred for monitoring complaint and investigations;
- 3) Transfers are costs incurred for committee and staff support provided by the Division of Professional Registration (also includes data processing, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

Table 1 – Estimated Cost of Compliance by Category of Allocation

Category of Allocation	Licensure – 0%	Enforcement – 75%
Personal Service	\$ 0	\$ 10,700
Expense & Equipment	\$ 0	\$ 5,224
Transfers	\$ 0	\$ 10,607
TOTAL	\$ 0	\$ 26,531

IV. ASSUMPTIONS

In developing this fiscal note, the total public entity costs of the State Committee of Dietitians were determined by using the allotment figures for personal service, expense and equipment, and transfers based on actual costs incurred by a board of similar size. These annual costs will recur each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of committee activity were identified: licensure and enforcement. The committee estimates 60% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 40% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs include rent and utilities. (See Table 2, 3 & 4)

Table 2– Allocation of Personal Service Dollars

Allotment	Percentage & Category	Dollar Amount
\$35,665	Licensure	\$21,399
\$35,665	Enforcement	\$14,266

Table 3– Allocation of Expense & Equipment Dollars

Allotment	Percentage & Category	Dollar Amount
\$17,391	Licensure	\$10,435
\$17,391	Enforcement	\$ 6,956

Table 4– Allocation of Transfer Dollars

Allotment	Percentage & Category	Dollar Amount
\$35,355	Licensure	\$21,213
\$35,355	Enforcement	\$14,142

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 0% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 75% of the time will be spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 115—State Committee of Dietitians
Chapter 1—General Rules**

PROPOSED RULE

4 CSR 115-1.040 Fees

PURPOSE: This rule establishes and fixes the various fees and charges for the State Committee of Dietitians.

(1) The following fees are hereby established by the State Committee of Dietitians:

(A) Application Fee	\$200.00
(B) Reciprocity Fee	\$200.00
(C) Biennial Renewal Fee	\$190.00
(D) Delinquent Fee	\$ 50.00
(E) Verification Fee	\$ 10.00
(F) Duplicate License Fee	\$ 5.00
(G) Duplicate Wall-Hanging Fee	\$ 5.00
(H) Return Check Fee	\$ 25.00

(2) All fees are nonrefundable.

(3) The provisions of this rule are hereby declared severable. If any fee fixed by this rule is held invalid by a court of competent jurisdiction or by the Administrative Hearing Commission, the remaining provisions of this rule shall remain in full force, unless otherwise determined by a court of competent jurisdiction or by the Administrative Hearing Commission.

AUTHORITY: sections 324.212.4. and 324.228, RSMo Supp. 1999. Original rule filed March 15, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate. The costs associated with the fees set by this rule are accounted for in the fiscal notes of the rules requiring their payment.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Committee of Dietitians, Vanessa Beauchamp, Executive Director, P.O. Box 1335, Jefferson City, MO 65102-1335. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 115—State Committee of Dietitians
Chapter 2—Licensure Requirements**

PROPOSED RULE

4 CSR 115-2.010 Application for Licensure/Grandfather Clause/Reciprocity

PURPOSE: This rule provides instructions for filing applications with the Office of the State Committee of Dietitians.

(1) Applications for licensure shall be submitted on the forms provided by the committee and may be obtained by writing the committee at 3605 Missouri Boulevard, P.O. Box 1335, Jefferson City,

MO 65102, by calling (573) 522-3438 or by electronic mail (E-mail) at diet@mail.state.mo.us. The TDD number is (800) 735-2966.

(2) An application is not considered officially filed with the committee until it has been determined by the committee or division staff to be complete. The application shall be submitted on the form provided by the committee, typewritten or printed in black ink, signed, notarized and accompanied by the application fee pursuant to rules promulgated by the committee and any other applicable forms required by the committee.

(3) If the applicant is registered with the Commission on Dietetic Registration (CDR), the applicant shall submit a photocopy of his/her current registration card.

(4) All applicants including applicants for licensure by reciprocity shall request that each state, United States territory, province, or country regulatory entity in which a license, certificate, registration or permit as a licensed dietitian or similar title is held or has ever been held to submit verification of licensure, certification, registration or permit directly to the committee. The verification shall include the type of license, registration, certification or permit issued; the number; status; issue and expiration dates; information regarding any disciplinary action; method of licensure, registration or certification; and the name and title of the person verifying the information with date and board seal.

(5) In order to file an application for licensure under section 324.210.4, RSMo, the grandfather clause, communication, such as a letter of intention, to apply for licensure pursuant to that provision shall have been postmarked no later than July 1, 2000. To complete the application process for licensure pursuant to section 324.210.4, RSMo, the information outlined in 4 CSR 115-2.020 (2) (grandfather clause) shall be submitted to the state committee within one (1) year of the effective date of this rule following the receipt of the letter of intent postmarked by July 1, 2000.

AUTHORITY: sections 324.210.4, 324.212, 324.215 and 324.228, RSMo Supp. 1999. Original rule filed March 15, 2000.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions an estimated \$41,377 annually for the life of the rule. The cost of this rule will recur annually for the life of the rule; will vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

PRIVATE COST: This proposed rule will cost private entities an estimated \$202,830 for the first year of implementation of the rule. Thereafter, the board is anticipating an annual growth rate of 4% in licensees and estimates the total annual cost will be \$8,113.20 for the life of the rule. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Committee of Dietitians, Vanessa Beauchamp, Executive Director, P.O. Box 1335, Jefferson City, MO 65102-1335. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Division of Professional Registration
FISCAL NOTE
PUBLIC ENTITY COST**

I. RULE NUMBER

Title: 4 – Department of Economic Development

Division: 115 – State Committee of Dietitians

Chapter: 2 – Licensure Requirements

Type of Rulemaking: Proposed Rule

Rule Number and Name: 4 CSR 115-2.010 Application for Licensure/Grandfather Clause/Reciprocity

Prepared December 27, 1999 by the State Committee of Dietitians of the Department of Economic Development.

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Annual Cost of Compliance for the Life of the Rule
State Committee of Dietitians	\$41,377

III. WORKSHEET

The costs for this rule are detailed in the table below and are based on the following assumptions:

- 1) Personal service costs are incurred for per diem, staff time to handle inquiries, correspondence, process applications and supporting documentation, prepare meeting agendas, attend meetings of the committee and to implement committee/division directives;
- 2) Expense and equipment costs are incurred for meeting preparation and committee expenses incurred for issuing and mailing dietitian licenses;
- 3) Transfers are costs incurred for committee and staff support provided by the Division of Professional Registration (also includes data processing, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

Table 1 – Estimated Cost of Compliance by Category of Allocation

Category of Allocation	Licensure – 70%	Enforcement – 12%
Personal Service	\$14,979	\$ 1,712
Expense & Equipment	\$ 7,305	\$ 835
Transfers	\$14,849	\$ 1,697
TOTAL	\$37,133	\$ 4,244

IV. ASSUMPTIONS

In developing this fiscal note, the total public entity costs of the State Committee of Dietitians were determined by using the allotment figures for personal service, expense and equipment, and transfers based on actual costs incurred by a board of similar size. These annual costs will recur each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of committee activity were identified: licensure and enforcement. The committee estimates 60% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 40% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs include rent and utilities. (See Table 2, 3 & 4)

Table 2— Allocation of Personal Service Dollars

Allotment	Percentage & Category	Dollar Amount
\$35,665	Licensure	\$21,399
\$35,665	Enforcement	\$14,266

Table 3— Allocation of Expense & Equipment Dollars

Allotment	Percentage & Category	Dollar Amount
\$17,391	Licensure	\$10,435
\$17,391	Enforcement	\$ 6,956

Table 4— Allocation of Transfer Dollars

Allotment	Percentage & Category	Dollar Amount
\$35,355	Licensure	\$21,213
\$35,355	Enforcement	\$14,142

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 70% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 12% of the time will spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)

**Division of Professional Registration
FISCAL NOTE
PRIVATE ENTITY COST**

I. RULE NUMBER

Title: 4 – Department of Economic Development

Division: 115 – State Committee of Dietitians

Chapter: 2– Licensure Requirements

Type of Rulemaking: Proposed Rule

Rule Number and Name: 4 CSR 115-2.010 – Application for Licensure/Grandfather Clause/Reciprocity

Prepared December 27, 1999 by the State Committee of Dietitians of the Department of Economic Development.

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate cost of compliance with the rule by the affected entities:
1000	Individuals (application for licensure)	\$200,000
1000	Individuals (notary for application)	\$ 2,500
1000	Individuals (postage for mailing application)	\$ 330
Estimated Annual Cost of Compliance for the Life of the Rule		\$202,830

III. WORKSHEET

Application Fee @ \$200.00

Notary Fee @ \$2.50

Postage Fee @ \$0.33

IV. ASSUMPTIONS

1. The board anticipates one thousand (1000) individuals will apply for licensure during the first year based on the number of individuals who have contacted the office and requested to be placed on the licensure application mailing list. The board estimates this application process to cost each applicant approximately \$202.83.
2. The private entity cost for this proposed amendment is estimated to be \$202,830.00 for the first year of implementation of the rule. Thereafter, the board is anticipating an annual growth rate of 4% in licensees and estimates the total annual cost will be \$8,113.20. It is anticipated that the total annual cost will recur for the life, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 115—State Committee of Dietitians
Chapter 2—Licensure Requirements**

PROPOSED RULE

4 CSR 115-2.020 Qualifications for Licensure

PURPOSE: This rule outlines the qualifications necessary for licensure.

(1) Any person applying for licensure, except those applying for licensure under section 324.210.4, RSMo, (grandfather clause) shall:

(A) Submit a photocopy of current registration card or other verification, as approved by the committee, from the Commission on Dietetic Registration (CDR) that the applicant is currently registered; or

(B) Successfully complete the academic requirements and supervised practice experience as established by the American Dietetic Association's Commission on Accreditation/Approval of Dietetic Education (CAADE) and—

1. Achievement of passing score on the examination approved by the CDR no more than five (5) years prior to the date of application; and

2. Applicants seeking licensure by examination shall cause the CDR to report the examination score of the applicant to the committee.

(2) Any person applying for licensure pursuant to section 324.210.4, RSMo, shall either:

(A) Submit a photocopy of current registration card or other verification, as approved by the committee, from the CDR that the applicant is currently registered; or

(B) Submit college transcripts and course descriptions verifying that the applicant has obtained a bachelor's degree from an accredited college or university with a major course of study that includes all of the following course work:

1. Biological sciences—Nine (9) semester hours that must include human anatomy, physiology, and microbiology or the equivalent as determined by the committee;

2. Chemistry—Six (6) semester hours that must include biochemistry or the equivalent as determined by the committee;

3. Behavioral sciences—Six (6) semester hours (such as psychology, sociology, counseling, or educational psychology);

4. Management—Six (6) semester hours that must include food service management and institutional management or the equivalent as determined by the committee;

5. Foods and nutrition—Twenty-five (25) semester hours that must include each of the following: diet therapy, medical dietetics, clinical nutrition, nutrition through the life cycle, applied human nutrition, advanced human nutrition, and food science or the equivalent as determined by the committee; and

(C) Provide proof of completion of nine hundred (900) hours of continuous clinical experience in the field of dietetics that meets the Foundation Knowledge and Skills and Competency Requirements for Entry-Level Dietitians as adopted by the American Dietetic Association, is approved by the committee and has been acquired during or within five (5) years of completion of academic requirements and not more than five (5) years before the date of licensure application.

1. Experience, as required under this rule, must be observed, assessed and coordinated by a licensed dietitian, a dietitian licensed in another state that has licensure requirements determined by the committee to be equal to the requirements of sections 324.200–324.225, RSMo, or a dietitian in a state without licensure who is registered by the CDR and submitted to the committee.

Experience must be verified on a form provided by the committee and signed before a notary public; or

2. A verification statement, signed by the applicant's internship director and/or program director, attesting that the applicant has graduated from an American Dietetic Association accredited curriculum and that he/she has completed an accredited American Dietetic Association internship shall be submitted to the committee.

(3) Following review of each application by the committee, the applicant shall be informed in writing of the decision regarding application for licensure. Applicants that are approved for licensure will receive one (1) license. Duplicate licenses may be provided upon payment of the appropriate fee pursuant to rules promulgated by the committee.

AUTHORITY: sections 324.210 and 324.228, RSMo Supp. 1999. Original rule filed March 15, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will cost private entities an estimated \$1,000 for the first year of implementation of the rule and will not recur annually. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Committee of Dietitians, Vanessa Beauchamp, Executive Director, P.O. Box 1335, Jefferson City, MO 65102-1335. To be considered, comments must be received within thirty days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Division of Professional Registration
FISCAL NOTE
PRIVATE ENTITY COST**

I. RULE NUMBER

Title: 4 – Department of Economic Development

Division: 115 – State Committee of Dietitians

Chapter: 2– Licensure Requirements

Type of Rulemaking: Proposed Rule

Rule Number and Name: 4 CSR 115-2.020 Qualifications for Licensure

Prepared December 27, 1999 by the State Committee of Dietitians of the Department of Economic Development.

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate of compliance with the rule by the affected entities:
100	Individuals (transcript fee)	\$1,000
Estimated Cost for the first year of implementation of the rule		\$1,000

III. WORKSHEET

Transcript Fee @ \$10.00

V. ASSUMPTIONS

1. The board anticipates one hundred (100) individuals will apply for licensure and be required to submit a transcript as a part of the application process. The board estimates this rule to cost individuals applying under section 324.210.4 and 4 CSR 115-2.020 \$10.00 in transcript fees plus \$202.83 to comply with 4 CSR 115-2.010.
2. The private entity cost for this proposed amendment is estimated to be \$1,000.00 for the first year of implementation of the rule and will not recur annually.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 115—State Committee of Dietitians
Chapter 2—Licensure Requirements**

PROPOSED RULE

4 CSR 115-2.030 Examination for Licensure

PURPOSE: This rule sets forth the examination requirements established by the committee for dietitian licensure.

(1) The committee approves the examination offered by the Commission on Dietetic Registration (CDR) for the American Dietetic Association.

(2) All applicants for licensure by examination shall meet the criteria established by the CDR for eligibility to take the examination and shall obtain the passing score as set by CDR.

AUTHORITY: sections 324.210.3 and 324.228, RSMo Supp. 1999. Original rule filed March 15, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will cost private entities an estimated \$6,680 annually for the life of the rule. The cost of this rule will recur annually for the life of the rule; will vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Committee of Dietitians, Vanessa Beauchamp, Executive Director, P.O. Box 1335, Jefferson City, MO 65102-1335. To be considered, comments must be received within thirty days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**Division of Professional Registration
FISCAL NOTE
PRIVATE ENTITY COST**

I. RULE NUMBER

Title: 4 – Department of Economic Development

Division: 115 – State Committee of Dietitians

Chapter: 2– Licensure Requirements

Type of Rulemaking: Proposed Rule

Rule Number and Name: 4 CSR 115-2.030 Examination for Licensure

Prepared December 27, 1999 by the State Committee of Dietitians of the Department of Economic Development.

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate cost of compliance with the rule by the affected entities:
40	Individuals (CDR examination)	\$5,000.00
40	Individuals (traveling to test sites)	\$1,680.00
Estimated Annual Cost of Compliance for the Life of the Rule		\$6,680.00

III. WORKSHEET

Examination fee @ \$125

Mileage (average 150 miles) @ .28

IV. ASSUMPTIONS

1. The board anticipates 40 individuals will apply for examination for licensure. The board estimates this application process to cost each applicant approximately \$202.83.
2. The private entity cost for this proposed amendment is estimated to be \$6,680.00 annually for the life of the rule. It is anticipated that the total annual cost will recur for the life, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 115—State Committee of Dietitians
Chapter 2—Licensure Requirements**

PROPOSED RULE

4 CSR 115-2.040 License Renewal

PURPOSE: This rule outlines the process of renewing a license.

(1) All licenses shall be renewed biennially.

(A) All licenses shall be renewed in even numbered years and shall expire on April 1 of each even numbered year.

(B) Each licensed dietitian shall provide the committee with a completed renewal form, issued by the committee that shall contain updated information since the preceding application/renewal period.

(C) Renewal applications shall be mailed to the last known address of each current licensee.

(D) Failure to receive a renewal notice shall not relieve the licensee of the obligation to renew the license in order to use the title licensed dietitian and/or L.D. and pay the required fee prior to the expiration date of the license.

(E) Deposit of the renewal fee by the division or committee shall not indicate acceptance of the renewal application or that any licensing requirements have been fulfilled.

(F) Renewals shall be postmarked no later than the expiration date of the license, or if the expiration date is a Sunday or federal holiday, the next day.

(G) However, a twenty-nine (29)-day grace period is established following the date by which every licensed dietitian must renew his/her license. The committee shall cause a license to be renewed if renewal is sought and all fees paid before the expiration of the grace period. Failure to renew before the end of the grace period will result in the licensee paying the renewal fee and delinquent fee pursuant to rules promulgated by the committee.

(2) Failure of a licensee to renew a license before the expiration date will cause the license to be noncurrent. Within two (2) years of the expiration date, the licensee may submit payment of the renewal fee, delinquent fee and provide the committee with a completed renewal form that shall contain updated information since the preceding application/renewal period.

(3) A licensee who fails to renew a license for a period more than two (2) years after the expiration of the license shall reapply for licensure under regulations in effect at the time of reapplication.

(4) Applicants that are approved for renewal will receive one (1) license. Duplicate licenses may be provided upon payment of the appropriate fee pursuant to rules promulgated by the committee.

AUTHORITY: sections 324.212 and 324.228, RSMo Supp. 1999. Original rule filed March 15, 2000.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions an estimated \$7,427 annually for the life of the rule. The cost of this rule will recur annually for the life of the rule; will vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

PRIVATE COST: This proposed rule will cost private entities an estimated \$192,580 biennially for the life of the rule. It is anticipated that the total biennial cost will recur for the life of the rule, may vary with inflation and is expected to increase biennially at the rate projected by the Legislative Oversight Committee. A

detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Committee of Dietitians, Vanessa Beauchamp, Executive Director, P.O. Box 1335, Jefferson City, MO 65102-1335. To be considered, comments must be received within thirty days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Division of Professional Registration
FISCAL NOTE
PUBLIC ENTITY COST**

I. RULE NUMBER**Title:** 4 – Department of Economic Development**Division:** 115 – State Committee of Dietitians**Chapter:** 2 – Licensure Requirements**Type of Rulemaking:** Proposed Rule**Rule Number and Name:** 4 CSR 115-2.040 License Renewal

Prepared December 27, 1999 by the State Committee of Dietitians of the Department of Economic Development.

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Annual Cost of Compliance for the Life of the Rule
State Committee of Dietitians	\$7,427

III. WORKSHEET

The costs for this rule are detailed in the table below and are based on the following assumptions:

- 1) Personal service costs are incurred for per diem, staff time to handle inquiries, correspondence, and process renewal applications and supporting documentation, prepare meeting agendas, attend meetings of the committee and to implement committee/division directives;
- 2) Expense and equipment costs are incurred for meeting preparation and committee expenses incurred for issuing and mailing renewal dietitian licenses;
- 3) Transfers are costs incurred for committee and staff support provided by the Division of Professional Registration (also includes data processing, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

Table 1 – Estimated Cost of Compliance by Category of Allocation

Category of Allocation	Licensure – 10%	Enforcement – 6%
Personal Service	\$ 2,140	\$ 856
Expense & Equipment	\$ 1,044	\$ 417
Transfers	\$ 2,121	\$ 849
TOTAL	\$ 5,305	\$ 2,122

IV. ASSUMPTIONS

In developing this fiscal note, the total public entity costs of the State Committee of Dietitians were determined by using the allotment figures for personal service, expense and equipment, and transfers based on actual costs incurred by a board of similar size. These annual costs will recur each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of committee activity were identified: licensure and enforcement. The committee estimates 60% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 40% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs include rent and utilities. (See Table 2, 3 & 4)

Table 2– Allocation of Personal Service Dollars

Allotment	Percentage & Category	Dollar Amount
\$35,665	Licensure	\$21,399
\$35,665	Enforcement	\$14,266

Table 3– Allocation of Expense & Equipment Dollars

Allotment	Percentage & Category	Dollar Amount
\$17,391	Licensure	\$10,435
\$17,391	Enforcement	\$ 6,956

Table 4– Allocation of Transfer Dollars

Allotment	Percentage & Category	Dollar Amount
\$35,355	Licensure	\$21,213
\$35,355	Enforcement	\$14,142

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 10% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 6% of the time will be spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)

**Division of Professional Registration
FISCAL NOTE
PRIVATE ENTITY COST**

I. RULE NUMBER

Title: 4 – Department of Economic Development

Division: 115 – State Committee of Dietitians

Chapter: 2– Licensure Requirements

Type of Rulemaking: Proposed Rule

Rule Number and Name: 4 CSR 115-2.040 License Renewal

Prepared December 27, 1999 by the State Committee of Dietitians of the Department of Economic Development.

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate cost of compliance with the rule by the affected entities:
1000	Individuals (renewal fee)	\$190,000
45	Individuals (delinquent fee)	\$ 2,250
1000	Individuals (postage)	\$ 330

**Estimated Biennial Cost of
Compliance for the Life of
the Rule**

\$192,580

III. WORKSHEET

Biennial Renewal Fee @ \$190.00

Delinquent Fee @ \$50.00

Postage @\$0.33

IV. ASSUMPTIONS

1. The board anticipates 4.5% of its licensees to be assessed a delinquent fee for failure to renew before the end of the grace period.
2. The private entity cost for this proposed amendment is estimated to be \$192,580 biennially for the life of the rule. It is anticipated that the total biennial cost will recur for the life, may vary with inflation and is expected to increase biennially at the rate projected by the Legislative Oversight Committee.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 115—State Committee of Dietitians
Chapter 2—Licensure Requirements**

PROPOSED RULE

4 CSR 115-2.050 Duplicate License

PURPOSE: This rule establishes the procedures and requirements for obtaining a duplicate license.

(1) A duplicate license, marked duplicate, may be issued in the event the original becomes lost, destroyed or mutilated or if the licensee requests a duplicate license due to a name change.

(2) Requests for duplicate licenses must be in writing and accompanied by the appropriate fee. If a duplicate license reflecting a name change is desired, the current license, required fee and verification of name change pursuant to 4 CSR 115-1.030 shall be submitted to the committee office.

AUTHORITY: sections 324.212.3 and 324.228, RSMo Supp. 1999. Original rule filed March 15, 2000.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions an estimated \$2,653 annually for the life of the rule. The cost of this rule will recur annually for the life of the rule; will vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

PRIVATE COST: This proposed rule will cost private entities an estimated \$2,066 annually for the life of the rule. It is anticipated that the total cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Committee of Dietitians, Vanessa Beauchamp, Executive Director, P.O. Box 1335, Jefferson City, MO 65102-1335. To be considered, comments must be received within thirty days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**Division of Professional Registration
FISCAL NOTE
PUBLIC ENTITY COST**

I. RULE NUMBER**Title:** 4 – Department of Economic Development**Division:** 115 – State Committee of Dietitians**Chapter:** 2 – Licensure Requirements**Type of Rulemaking:** Proposed Rule**Rule Number and Name:** 4 CSR 115-2.050 – Duplicate License

Prepared December 27, 1999 by the State Committee of Dietitians of the Department of Economic Development.

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Annual Cost of Compliance for the Life of the Rule
State Committee of Dietitians	\$2,653

III. WORKSHEET

The costs for this rule are detailed in the table below and are based on the following assumptions:

- 1) Personal service costs are incurred for per diem, staff time to handle inquiries, correspondence, and process request for duplicate licenses and supporting documentation;
- 2) Expense and equipment costs are incurred for meeting preparation and committee expenses incurred for issuing and mailing duplicate license;
- 3) Transfers are costs incurred for committee and staff support provided by the Division of Professional Registration (also includes data processing, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

Table 1 – Estimated Cost of Compliance by Category of Allocation

Category of Allocation	Licensure – 5%	Enforcement – 0%
Personal Service	\$ 1,070	\$ 0
Expense & Equipment	\$ 522	\$ 0
Transfers	\$ 1,061	\$ 0
TOTAL	\$ 2,653	\$ 0

IV. ASSUMPTIONS

In developing this fiscal note, the total public entity costs of the State Committee of Dietitians were determined by using the allotment figures for personal service, expense and equipment, and

transfers based on actual costs incurred by a board of similar size. These annual costs will recur each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of committee activity were identified: licensure and enforcement. The committee estimates 60% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 40% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs include rent and utilities. (See Table 2, 3 & 4)

Table 2— Allocation of Personal Service Dollars

Allotment	Percentage & Category	Dollar Amount
\$35,665	Licensure	\$21,399
\$35,665	Enforcement	\$14,266

Table 3— Allocation of Expense & Equipment Dollars

Allotment	Percentage & Category	Dollar Amount
\$17,391	Licensure	\$10,435
\$17,391	Enforcement	\$ 6,956

Table 4— Allocation of Transfer Dollars

Allotment	Percentage & Category	Dollar Amount
\$35,355	Licensure	\$21,213
\$35,355	Enforcement	\$14,142

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 5% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 0% of the time will spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)

**Division of Professional Registration
FISCAL NOTE
PRIVATE ENTITY COST**

I. RULE NUMBER

Title: 4 – Department of Economic Development

Division: 115 – State Committee of Dietitians

Chapter: 2– Licensure Requirements

Type of Rulemaking: Proposed Rule

Rule Number and Name: 4 CSR 115-2.050 Duplicate License

Prepared December 27, 1999 by the State Committee of Dietitians of the Department of Economic Development.

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimated cost of compliance with the rule by the affected entities:
200	Individuals (notification of change)	\$66.00
200	Individuals (duplicate license fee)	\$1,000
200	Individuals (duplicate wallhanging fee)	\$1,000

**III. Estimated Annual Cost of
Compliance for the
Life of the Rule**

\$2,066.00

III. WORKSHEET

Postage @ \$.33

Duplicate License Fee @ \$5.00

Duplicate Wallhanging Fee @ \$5.00

IV. ASSUMPTIONS

1. The board anticipates that twenty percent (20%) of the board's licensees will duplicate licenses and wallhangings annually for the life of the rule. The board estimates this process will cost each applicant approximately \$10.33.
2. The private entity cost for this proposed rule is estimated to be \$2,066.00 annually for the life of the rule. It is anticipated that the total cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT**

**Division 120—State Board of Embalmers and Funeral
Directors**

Chapter 1—Organization and Description of Board

PROPOSED AMENDMENT

4 CSR 120-1.030 Election and Removal of Officers. The board is proposing to amend subsections (4)(A) and (C).

PURPOSE: The purpose of this amendment is to remove requirements for the secretary to sign board minutes and review and approve or disapprove case reports.

(4) The officers elected by the board shall have the following duties:

(A) Chairman—shall chair the board meetings; advise the board's staff on the handling of complaints; call special board meetings; appoint committees of the board; may order, as s/he deems necessary, investigation of any complaint; may act on matters requiring immediate and necessary attention; make board member assignments *[with regard to the review and grading of funeral director case report forms]*; and any other duty which from time-to-time may be delegated by consent of the board;

(C) Secretary—*[shall sign the board minutes once approved; review and approve or disapprove case reports submitted by apprentice embalmers; and any other duty which may from time-to-time be delegated by consent of the board. If the secretary is not a Missouri licensed embalmer, the vice-chairman shall review the case reports. In the event neither the secretary nor vice-chairman is a Missouri licensed embalmer, the case reports shall be reviewed by a board member appointed by the chairman.] shall perform any duties that may from time-to-time be delegated by consent of the board.*

AUTHORITY: sections 333.111.1, RSMo [Cum. Supp. 1993] Supp. 1999 and 333.181, RSMo [1986] 1994. Original rule filed Dec. 2, 1993, effective July 30, 1994. Amended: Filed March 10, 2000.

PUBLIC COST: This proposed amendment is estimated to cost state agencies or political subdivisions less than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Embalmers and Funeral Directors, Patricia A. Handly, Executive Director, 3605 Missouri Boulevard, P.O. Box 423, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT**

**Division 120—State Board of Embalmers
and Funeral Directors**

Chapter 2—General Rules

PROPOSED AMENDMENT

4 CSR 120-2.010 Embalmer's Registration and Apprenticeship. The board is proposing to amend sections (1),

(5), (7) and (8), delete sections (10)–(13), add new language in section (10), and renumber the remaining sections accordingly.

PURPOSE: This amendment requires an affidavit to be submitted to the board by the apprentice embalmer attesting that he/she has embalmed twenty-five (25) dead human bodies under the personal supervision of his/her supervisor and eliminates the filing of twenty-five (25) case reports. Pursuant to Senate Bill 176 of the 90th General Assembly, the board is also removing rule language that is repetitive of statutory language.

(1) Every person desiring to enter the profession of embalming dead human bodies within Missouri, and who is enrolled in *[entering]* an accredited institution of mortuary science, must register with the board as a practicum student on the form provided by the board. Applications must be accompanied by the applicable fee.

(5) The embalming examination administered by the board consists of written questions in two (2) sections. The Funeral Service Science section covers embalming, anatomy, pathology, bacteriology, hygiene, chemistry and restorative art. The Funeral Service Arts section covers mortuary administration and the laws[,] and rules governing the care, disposition and the transportation of dead human bodies.

(7) In lieu of the embalming examination administered by the board, the board will accept the results of the examination administered by *[t/The [National] International Conference of Funeral Service Examining Boards, Inc. Should an applicant who intends to rely upon his/her scores on [t/The [National] International Conference of Funeral Service Examining Board's, Inc., examination fail to achieve a general average of seventy-five percent (75%), with no score less than seventy percent (70%) on either section, the board will administer a reexamination of the failed section, upon application and payment of the applicable reexamination fee. On any reexamination of a single failed section, the applicant must score at least seventy-five percent (75%) to pass.*

(8) After the applicant has made a passing grade in both sections and has obtained the seventy-five percent (75%) general average on either the board examination or *[t/The [National] International Conference of Funeral Service Examining Boards, Inc., examination, s/he then may apply for registration as an apprentice embalmer. This application must contain the name(s) of the Missouri-licensed embalmer(s) under whom s/he will serve. Each instructor must be registered with, and approved by, the board. Any change in instructors also must be registered and approved. Applications must be submitted on the forms provided by the board and must be accompanied by the applicable fee. Application forms are available from the board's executive secretary.*

[(10) An apprentice embalmer must serve the apprenticeship required by this rule under the supervision of an embalmer who is currently licensed in this state or who is currently licensed in a state with which the Missouri board has entered into a reciprocity agreement.

(11) During the period of apprenticeship under this rule, the apprentice embalmer must file with the board's executive secretary at least twenty-five (25) case reports on bodies which s/he personally embalmed under the personal supervision of his/her supervisor.

(12) During the apprentice embalmer's first six (6) months of apprenticeship, the supervisor must be physically present during the entire embalming process period. During the apprentice embalmer's second six (6) months of

apprenticeship, the supervisor must be physically present at the beginning of the embalming process and available for consultation and personal inspection within a period of not more than one (1) hour after the operation.

[(13)] (13) The apprentice embalmer must mail each case report required by this rule to the board office within ten (10) days of the date on which the physician, medical examiner, coroner, or local registrar signs the death certificate. Each case report must be signed by the apprentice embalmer and his/her supervisor, and must be submitted on the forms provided by the board.]

(10) An affidavit provided by the board signed by both the apprentice and the supervisor(s) verifying that the applicant has successfully completed the embalming of twenty-five (25) dead human bodies must be submitted to the board.

[(14)] (11) After completion of at least a one (1)-year apprenticeship as an apprentice embalmer as provided in this rule, the apprentice embalmer will be examined orally by the board on practical embalming and on the laws of this state governing the profession of embalming. Those students who achieve a score of seventy-five percent (75%) or greater will be deemed to have passed this examination.

[(15)] (12) After satisfactory completion of these requirements, an embalmer's license will be issued to an apprentice embalmer upon payment of the applicable fee and subject to the provisions of section 333.121, RSMo.

[(16)] (13) Should an applicant not appear for the oral examination before the board within five (5) years from the date of his/her graduation, his/her registration as an embalming student and as an apprentice embalmer and any written examination required under section [(5)] (4) of this rule in which the applicant is required to successfully complete will be cancelled automatically.

[(17)] (14) Should an individual desire to obtain an embalmer's license after his/her license has become void under section 333.081.3, RSMo, the individual will be required to complete a six (6)-month period of apprenticeship during which time s/he will be required to embalm at least twelve (12) dead human bodies under the supervision of a Missouri licensed embalmer. The applicant will be required to pay the current apprenticeship registration and licensing fees to obtain a new embalmer's license under this rule.

[(18)] (15) All documents filed with the board under this rule will become a part of its permanent files.

AUTHORITY: *sections 333.041 and 333.111.1 [and 536.023.3.], RSMo [Supp. 1998] Supp. 1999. Original rule filed Oct. 17, 1975, effective Oct. 28, 1975. For intervening history, please consult the Code of State Regulations. Amended: Filed March 10, 2000.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than \$500 in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Embalmers and Funeral Directors, Patricia A. Handly, Executive Director, 3605 Missouri Boulevard, P.O. Box 423, Jefferson City, MO 65102. To be considered, comments must*

be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 120—State Board of Embalmers and Funeral Directors

Chapter 2—General Rules

PROPOSED AMENDMENT

4 CSR 120-2.060 Funeral Directing. The board is proposing to amend sections (2) and (3), delete section (7), and renumber the remaining sections accordingly.

PURPOSE: *This amendment requires an affidavit to be submitted to the board by the apprentice funeral director attesting that he/she arranged ten (10) funeral services under the supervision of a Missouri licensed funeral director and eliminates the filing of ten (10) case reports. Pursuant to Senate Bill 176 of the 90th General Assembly the board is also removing rule language that is repetitive of statutory language.*

(2) Every applicant who has made application for a license as a funeral director and has been registered as a funeral director apprentice by the board shall serve a twelve (12)-month period of apprenticeship in a funeral establishment licensed for the care and preparation for burial and transportation of the human dead in this state or in another state which has established standards for admission to practice funeral directing equal to, or more stringent than, the requirements for admission to practice funeral directing in this state. *[The apprentice funeral director shall devote at least fifteen (15) hours per week to his/her duties as an apprentice under the supervision of a Missouri licensed funeral director.]*

(3) During the period of apprenticeship, the apprentice funeral director must file with the board *[at least ten (10) case reports on funeral services] an affidavit provided by the board signed by the apprentice and his/her supervisor(s)* that s/he has arranged and conducted **ten (10) funeral services** under the supervision of a Missouri licensed funeral director. *[The apprentice funeral director must mail each case report required by this rule to the board office within thirty (30) days from the date of final disposition. Each case report must be signed by the apprentice funeral director and his/her supervisor, and must be submitted on the forms provided by the board. The board, at its discretion, may reject any case report that is not properly completed.]*

[(7)] Upon acceptance of the application and examination fees, an applicant shall have twenty-four (24) months to successfully complete the requirements for licensure or the application will be canceled.]

[(8)] (7) If a Missouri licensed embalmer desires to enter the profession of funeral directing in this state and is not entitled to a license under section 333.051, RSMo, s/he shall make application for a funeral director license and pay the application and examination fees. The applicant shall comply with all the requirements for licensure as a funeral director pursuant to section 333.041.1, RSMo. Upon successful completion of the board's law and practical examinations, the applicant will be issued a license to practice funeral directing.

[(9)] (8) If an individual provides the board an official transcript and documentation indicating s/he is a graduate of an institute of mortuary science education accredited by the American Board of

Funeral Service Education or any successor organization recognized by the United States Department of Education for Funeral Service Education and desires to enter the profession of funeral directing in this state and is not entitled to a license under section 333.051, RSMo, s/he shall make application for a funeral director license and pay the application and examination fees. The applicant shall comply with all the requirements for licensure as a funeral director pursuant to section 333.041.1, RSMo. Upon successful completion of the board's law and practical examinations, the applicant will be issued a license to practice funeral directing.

[[10]] (9) Effective September 1, 2000, the nationally prepared State Board Funeral Service Arts Examination furnished by the International Conference of Funeral Service Examining Boards, Inc. will be administered by the board as its practical funeral director examination. Any applicant who provides evidence of having successfully completed the National Board Funeral Service Arts Examination or the State Board Funeral Service Arts Examination is exempt from the funeral director practical examination.

[[11]] (10) If an individual provides the board an official transcript and documentation indicating s/he has successfully completed a course of study in funeral directing offered by a college accredited by a recognized national, regional or state accrediting body and approved by the State Board of Embalmers and Funeral Directors and desires to enter the profession of funeral directing in this state and is not entitled to a license under section 333.051, RSMo, s/he shall make application for a funeral director license and pay the application and examination fees. The applicant shall comply with all the requirements for licensure as a funeral director pursuant to section 333.041.1, RSMo. Upon successful completion of the board's law and practical examinations, the applicant will be issued a license to practice funeral directing.

[[12]] (11) A college accredited by a recognized national, state, or regional accrediting body may seek the approval of the State Board of Embalmers and Funeral Directors for a course of study in funeral directing by submitting a description of the program, the college catalog listing the course of study and evidence that the program has been approved to be offered in that institution by the administration of the college and the Coordinating Board of Higher Education.

[[13]] (12) Effective January 1, 1995, a limited license will be issued by the board to any qualified individual who desires to work in a function B funeral establishment only upon application to the board for limited funeral director's license and upon payment of the funeral director's examination fee. Any applicant for a limited funeral director's license will be exempt from serving the six (6)-month period of internship, the six (6)-month period of apprenticeship, and passage of the board's practical examination but will be required to successfully complete the board's written funeral director's examination. Any license issued under this section will be identified as a limited license.

[[14]] (13) Should a holder of a limited funeral director's license desire to obtain a full funeral director's license, the individual must fulfill all requirements described in sections (1)-(10), with the exception of passing the written funeral director's examination which is a requirement for the limited license.

[[15]] (14) It shall be considered misconduct in the practice of funeral directing for a licensed funeral director to permit any unlicensed person to engage in, or take charge of, the activities for which a license is required by law.

[[16]] (15) A licensed funeral director must be present and personally must supervise the conduct of each funeral service conducted by or from a licensed funeral establishment. A violation of

this section will be considered misconduct in the practice of funeral directing.

[[17]] (16) A licensed funeral director must be present and personally must supervise an interment service or cremation service. A violation of this section will be deemed misconduct in the practice of funeral directing. Once the body has been delivered to a cemetery for the purpose of interment or to a crematory for the purpose of cremation and after any ceremonial funeral services have been completed, the funeral director is not required to stay with the body. Nothing in this rule shall be interpreted as requiring the funeral director to leave the cemetery before disposition is complete. Furthermore, nothing in this rule shall be interpreted as relieving the funeral director of any responsibilities s/he has under his/her contract with the person(s) having the right to control the incidents of burial.

[[18]] (17) An unlicensed person may transport dead human bodies from the place of death to another location or may transport dead human bodies out of this state if these services are performed under the direction of a licensed funeral establishment.

[[19]] (18) No person other than a duly licensed and registered funeral director may make the following at-need arrangements with the person having the right to control the incidents of burial:

(A) In connection with the temporary or final entombment or cremation, disinterment, reinterment or other lawful disposition of a dead human body;

(B) For the care, preparation, shipment or transportation of a dead human body; and

(C) For the sale or rental to the public of funeral merchandise, services or paraphernalia from a funeral establishment.

[[20]] (19) The taking of preliminary information by an unlicensed person will not be construed as the making of at-need funeral arrangements under this rule.

[[21]] (20) Whenever an unlicensed person makes other than at-need funeral arrangements on behalf of a funeral director or funeral establishment, the unlicensed person at all times must be under the supervision and control of a licensed funeral director.

[[22]] (21) Violations of this rule will be deemed misconduct in the practice of funeral directing.

[[23]] (22) The business and practice of funeral directing may be conducted only from a fixed place or establishment which has been licensed by the board.

AUTHORITY: sections 333.041, 333.042 and 333.III.1, RSMo Supp. [1998] 1999 and 333.121, RSMo 1994. Original rule filed Oct. 17, 1975, effective Oct. 28, 1975. For intervening history, please consult the *Code of State Regulations*. Amended: Filed March 10, 2000.

PUBLIC COST: This proposed amendment is estimated to cost state agencies or political subdivisions less than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Embalmers and Funeral Directors, Patricia A. Handy, Executive Director, 3605 Missouri Boulevard, P.O. Box 423, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT**

**Division 195—[Division of Job Development and
Training] Division of Workforce Development**

**Chapter 5—General Rules, Individual Training Account
Program**

PROPOSED RULE

4 CSR 195-5.010 Purpose; Business Eligibility

PURPOSE: The Department of Economic Development, Division of Workforce Development has the responsibility to administer the Individual Training Account Program and to approve or disapprove applications for this program. This rule sets out the goals of the program and establishes guidelines for a business' eligibility for benefits under this program.

(1) The Individual Training Account Program provides assistance to eligible businesses located in Missouri for the training or retraining activities designed to upgrade skills of current or potential employees.

(A) Through educational programs, businesses are reimbursed in the form of tax credits for costs associated with upgrade training to prepare existing or potential employees for higher skilled positions.

(B) A special emphasis shall be placed on trainees with obsolete or inadequate job skills.

(C) Job training programs shall attempt to prepare employed workers for positions that remain unfilled or that may be created by current or potential employers.

(2) In order to be eligible to receive assistance through the Individual Training Account Program, an employer must apply to the Division of Workforce Development (DWD) using forms prescribed by the DWD and providing all information required. An employer also must be liable for taxes incurred pursuant to the provisions of Chapter 143, RSMo (income tax) or Chapter 148, RSMo (taxation of financial institutions), and must be located within a distressed community as defined by section 135.530, RSMo to be eligible for participation in the program.

(A) The DWD may approve or disapprove an application based on its economic impact on the community and its eligible employees. Factors to be considered before approving an application include, but are not limited to:

1. The type of industry requesting assistance;
2. The company's total employment history in Missouri during the previous three (3) years prior to the time of application;
3. The occupations, job duties and requirements, and respective wage rates; and
4. The type of training and the reasonableness of the training costs.

(B) If the business is covered by a collective bargaining agreement, no training project will be approved without written consultation from the appropriate local labor organization.

1. The employer shall send a request for written comments by certified mail, return receipt requested, to the bargaining agent for the appropriate local labor organization. The request shall specify that, if no comments are received by the DWD within fifteen (15) days of the bargaining agent's receipt of the request, the employer will assume the bargaining agent consents to the proposed training.

2. An employee that is promoted into a job that replaces or supplants an existing employee engaged in an authorized work stoppage is not eligible for the program.

3. An employee that is promoted into an occupation affected by an active layoff at the time of application or up to three hundred

sixty-five (365) days prior to application, is not eligible for the program.

AUTHORITY: sections 620.1400, 620.1410, 620.1440 and 620.1460, RSMo Supp. 1999. Original rule filed March 15, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of, or in opposition to this proposed rule with Becky Owenson Kilpatrick at the Department of Economic Development, P.O. Box 1157, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT**

**Division 195—[Division of Job Development and
Training] Division of Workforce Development
Chapter 5—General Rules, Individual Training Account
Program**

PROPOSED RULE

**4 CSR 195-5.020 Application to Participate and Qualifications
for Tax Credits**

PURPOSE: This rule sets out the process for an employer to participate in the Individual Training Account Program, and sets out how the employer makes subsequent application for tax credits after employee training is complete. This rule also provides guidance as to what expenses qualify for tax credits.

(1) In order to participate in the Individual Training Account Program, an employer must submit an Employer Notification request using forms prescribed by the Division of Workforce Development (DWD) providing all information required to the DWD. The Employer Notification shall include, but is not limited to, the following:

- (A) Names and occupations of employees to be trained;
- (B) The trainees' Social Security numbers;
- (C) The date of hire or anticipated date of hire of the trainees and corresponding wage rates;
- (D) The name and location of the training provider(s);
- (E) The dates the training will occur for each trainee;
- (F) A description of the training to be provided; and
- (G) The company's Unemployment Insurance Identification Number.

(2) Training may begin after the notification is received and given preliminary approval by the DWD.

(A) Tax credits can only be claimed for training approved by the DWD.

(B) Training for each trainee cannot exceed two (2) calendar years.

(C) A maximum credit that can be claimed for each trainee is the lesser of fifty percent (50%) of the actual training costs or one thousand five hundred dollars (\$1,500) per year.

(3) In order to receive tax credits for upgrade training, an employer must submit a Tax Credit Request Form to the DWD.

(A) The employer must submit the following with the Tax Credit Request Form:

1. Verification from the training provider that the employee successfully completed training;

2. Documentation satisfactory to the DWD that the employee has increased his/her wage rates. Documentation of this may include, but is not limited to, copies of a payroll register;

3. Documentation satisfactory to the DWD that the employee has been employed in a new, full-time position with the employer for at least three (3) months; and

4. Documentation satisfactory to the DWD of the employee's responsibilities in his/her new position and a brief description of how these have increased from the employee's pre-training position.

(B) The DWD will verify the information on the Tax Credit Request Form, and notify the Department of Revenue.

(4) The employer/recipient may assign, sell or transfer, in whole or in part, the Individual Training Account Tax Credits.

(A) To perfect the transfer, the assignor (person selling the tax credits) shall provide written notice to DWD of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective, the assignee's name and address, the assignee's tax period and the amount of tax credits to be transferred.

(B) The assignee shall provide written notice to DWD specifying the number of consecutive tax periods the transferred tax credits are to be claimed; except that, the number of tax periods during which the assignee may subsequently claim the tax credits shall not exceed five (5) tax periods less the number of tax periods the assignor previously claimed or held the tax credits before the transfer occurred.

(5) For the purpose of determining the amount of tax credits authorized, eligible training costs include tuition, instruction, curriculum design, training materials, the leasing of classroom space or training equipment, and other related training expenses that do not exceed the prevailing rates.

(A) Eligible training providers are local educational institutions that are publicly or privately funded and certified by the Department of Higher Education or the Department of Elementary and Secondary Education.

(B) The purchase of classroom facilities, space or training equipment are not eligible costs.

AUTHORITY: sections 620.1410, 620.1420, 620.1430, 620.1440 and 620.1460, RSMo Supp. 1999. Original rule filed March 15, 2000.

PUBLIC COST: This proposed rule is estimated to cost the Department of Economic Development, Division of Workforce Development, the administrating state agency for this tax credit program, approximately \$56,490.16 annually. This proposed rule is estimated to cost the Department of Revenue approximately \$6,000,000 annually as these tax credits can be applied directly to the state tax liabilities incurred by the taxpayers receiving the credits. For a detailed analysis of these costs, see the accompanying Public Entity Fiscal Note.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of, or in opposition to this proposed rule with Becky Owenson Kilpatrick at the Department of Economic Development, P.O. Box 1157, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

FISCAL NOTE PUBLIC ENTITY COST

I. RULE NUMBER

Title: 4 – Department of Economic Development

Division: 195 – Division of Workforce Development

Chapter: 5 – General Rules, Individual Training Account Program

Type of Rulemaking: Proposed Rule

Rule Number and Name: 4 CSR 195-5.020 Application to Participate and Qualifications for Tax Credits

Prepared March 2, 2000 by Department of Economic Development in conjunction with the Division of Workforce Development, Individual Training Account Program

II. SUMMARY OF FISCAL IMPACT

AGENCY AFFECTED	ESTIMATED COST OF COMPLIANCE
Department of Economic Development – Division of Workforce Development	\$56,490.16 annually
Department of Revenue	\$6,000,000.00 annually

III. WORKSHEET

CATEGORY OF ALLOCATION	ANNUAL COST
Personal Service & Fringe Benefits (1.5 FTE)	\$50,210.16
Expense & Equipment (Communications)	\$1,310.00
Expense & Equipment (Office Expenses)	\$2,100.00
Expense & Equipment (Facilities)	\$1,370.00
Expense & Equipment (Travel)	\$1,500.00
TOTAL	\$56,490.16

IV. ASSUMPTIONS

Personal service costs are incurred for one full-time program administrator and one half-time clerical support staff. Administrative staff expenses are incurred for implementing and managing the application process, evaluating applications for eligibility and compliance, working with interested businesses to aid in access and use of program benefits, supervising

support staff, issuing program benefits, maintaining database, and other miscellaneous program administration services. Support staff expenses are incurred for clerical support duties such as telephone, word processing, inputting information, mailing, providing applicants with general information about the program and other miscellaneous support staff services.

Expense and equipment costs are broken out into four categories: (1) Communications which include postage, telephone and other communications; (2) Office Expenses which include printing, supplies, miscellaneous operating expenses, equipment and equipment maintenance and repair; (3) Facilities which includes office space and maintenance; and (4) Travel.

The cost to the Missouri Department of Revenue assumes that all \$6,000,000 in tax credits allocated for this program annually will be applied toward the tax debts of the taxpayers claiming the credits.

The duration of the rule cannot be accurately estimated, as this program has no overall cap and no sunset clause. Therefore, the estimates presented in this fiscal note are based on annual expenses. Aggregate costs for a certain number of years can be estimated by multiplying the total annual costs by the number of years desired and adding an annual inflation factor of 2%.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 195—[Division of Job Development and Training] Division of Workforce Development

Chapter 5—General Rules, Individual Training Account Program

PROPOSED RULE

4 CSR 195-5.030 Employee/Trainee Eligibility

PURPOSE: *This rule establishes guidelines for determining the eligibility of certain employees for training under the Individual Training Account Program, and clarifies when successful completion of the training program qualifies the employer to receive tax credits for the training activity.*

(1) An eligible trainee must be a full- or part-time employed worker whose salary is equal to or less than two hundred percent (200%) of the present Federal Poverty Level.

(A) Part-time employed workers must average a minimum of twenty (20) hours per week during the training period.

(B) A full-time position is defined as a job that averages a minimum of thirty-five (35) or more hours a week.

(2) Tax credits may not be claimed until a trainee has successfully completed training and has been employed for a minimum of three (3) months in the upgraded, full-time, permanent position. Tax credits may only be claimed by companies for employees on their respective payrolls.

(A) The upgraded position must offer the same benefits and comparable pay rates as other workers in the same occupation in the labor market area.

(B) The upgraded position assumed by the trainee upon completion of training must be consistent within a career pattern of advancement.

(C) Successful completion of training requires a showing that the employee has attained higher earnings, job advancement, and increased skill proficiency.

1. The higher wage rate shall be in addition to normal cost-of-living pay increases.

2. The wage rate must be equal to or higher than the average area wage rate for similar occupations.

3. The upgrade position must offer a minimum of fifty-one percent (51%) employer-funded medical benefits to the employee.

(D) Upgrade training is the progressive development of skills associated with a defined set of work processes.

AUTHORITY: *sections 620.1410, 620.1420, 620.1440 and 620.1460, RSMo Supp. 1999. Original rule filed March 15, 2000.*

PUBLIC COST: *This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.*

PRIVATE COST: *This proposed rule will not cost private entities more than \$500 in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of, or in opposition to this proposed rule with Becky Owenson Kilpatrick at the Department of Economic Development, P.O. Box 1157, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 220—State Board of Pharmacy Chapter 2—General Rules

PROPOSED AMENDMENT

4 CSR 220-2.010 Pharmacy Standards of Operation. The board is proposing to amend paragraph (1)(C)2., subsection (1)(L) and section (2).

PURPOSE: *This rule amendment establishes the requirement for consecutive numbering of hard copy prescriptions and requires pharmacy operations to be conducted under the supervision of a properly designated pharmacist-in-charge.*

(1) The word medicine or medicines is a word similar or of like import to the words pharmacist, pharmacy, apothecary shop, chemist shop, drug store, druggist and drugs, and no person shall carry on, conduct or transact a business under a name which contains, as part of the name, the word medicine or medicines, unless the place of business is supervised by a licensed pharmacist.

(C) No pharmacy shall be licensed under the provisions of this chapter unless it is equipped with proper pharmaceutical equipment and reference manuals. Requirements for proper equipment and references may vary between pharmacies and must insure accuracy and safety of all pharmaceutical activity.

1. Basic equipment recognized by the latest edition of the *United States Pharmacopoeia (USP)*, the *United States Pharmacopoeia/Drug Information (USP/DI)* or *Remington's Pharmaceutical Sciences* shall be available for any procedures utilized in the dispensing, compounding or admixture of drugs and drug-related devices, and must maintain conformance with these publications.

2. A suitable machine or electronic data device for the [consecutive] numbering of all prescriptions must be maintained along with appropriate printing equipment for the production of prescription drug labels.

(L) **Pharmacy operations must be conducted at all times under the supervision of a properly designated pharmacist-in-charge.** When a licensed pharmacist leaves the employment of a pharmacy [or drug store] where s/he has been pharmacist-in-charge, s/he immediately shall notify the executive director of the board of the termination of his/her services in the pharmacy. Likewise, the holder of the permit shall notify the executive director of the board of the termination of the services and give the name of the new licensed pharmacist-in-charge.

(2) Every pharmacy shall designate as its primary means of record-keeping either a manual system which **provides for the consecutive numbering of hard copy prescriptions** and complies with the provisions of section (3) of this rule or an electronic system which complies with the provisions of 4 CSR 220-2.080. [and t] The designated **record** system shall be used to record the pharmacy's dispensing of all drugs, medicines and poisons.

AUTHORITY: *sections 338.010, 338.240 and 338.280, RSMo 1994 and 338.140, RSMo Supp. [1998] 1999. Original rule filed July 18, 1962, effective July 28, 1962. For intervening history, please consult the Code of State of Regulations. Amended: Filed March 15, 2000.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than \$500 in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Pharmacy, Kevin Kinkade, Executive Director, P.O. Box 625, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 220—State Board of Pharmacy
Chapter 2—General Rules**

PROPOSED AMENDMENT

4 CSR 220-2.018 Prescription Requirements. The board is proposing to amend subsection (1)(A).

PURPOSE: This amendment removes the requirement for consecutive prescription numbering and establishes the requirement of assigned prescription numbering.

(1) In order for a prescription to be valid for purposes of dispensing a medication by a pharmacy, it must conform to all requirements as outlined in sections 338.056 or 338.196, RSMo, and contain the following information:

(A) The prescription date and *[consecutive]* **assigned prescription** number;

AUTHORITY: sections 338.095, 338.240 and 338.280, RSMo 1994 and 338.100 and 338.140, RSMo Supp. 1999. Original rule filed May 4, 1995, effective Dec. 30, 1995. Amended: Filed March 15, 2000.

PUBLIC COST: The proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: The proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Pharmacy, Kevin Kinkade, Executive Director, P.O. Box 625, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 220—State Board of Pharmacy
Chapter 2—General Rules**

PROPOSED AMENDMENT

4 CSR 220-2.020 Pharmacy Permits. The board is proposing to amend section (4) and subsections (9)(C) and (9)(G), add new subsections (9)(H) and (9)(I) and amend section (10).

PURPOSE: This rule amendment will remove the requirement for pharmacies to file a change of location application and fee when remodeling; provides a clearer definition of what constitutes remodeling; and what will require a change of location application and fee. This amendment also establishes two (2) classes of licenses and requires the posting of the renewal license.

(4) If an individual or business entity operating a pharmacy changes the location of the pharmacy *[either within the existing facility (structure) or]* to a new facility (structure), the pharmacy shall not open for business at the new location until the board or its duly authorized agent has inspected the premises of the new location and approved it and the pharmacy as being in compliance with section 338.240, RSMo and all other provisions of the law. Upon the approval and receipt of a change of location fee, the board shall issue a permit authorizing operation of a pharmacy at the new location and the permit shall bear the same number as the

previous pharmacy permit. However, the permit remains valid if the pharmacy address changes, but not the location and an amended permit will be issued without charge under these circumstances.

(A) **Remodeling of a licensed pharmacy within an existing structure** shall be deemed to have occurred when any change in the storage conditions of the schedule II controlled substances is made or new connections to water/sewer resources are made or any changes in the overall physical security of drugs stored in the pharmacy as defined in 4 CSR 220-2.010(1)(H) are made. Remodeling as defined within this section will not require the initiation of any change of location procedures. Satisfactory evidence of plans for any remodeling of a pharmacy must be provided to the board office thirty (30) days in advance of commencing such changes along with an affidavit showing any changes to the pharmacy physical plant and the projected completion date for any remodeling.

(9) The following classes of pharmacy permits or licenses are hereby established:

(C) **Class C: Long-Term Care.** A pharmacy that provides services as defined in section 338.010, RSMo by the dispensing of drugs and devices *[exclusively]* to patients residing within long-term care facilities. A long-term care facility means a nursing home, retirement care, mental care or other facility or institution which provides extended health care to resident patients;

(F) **Class F: Renal Dialysis.** A pharmacy that is not open to the general public that provides services as defined in section 338.010, RSMo limited to the dispensing of renal dialysis solutions and other drugs and devices associated with dialysis care; *and*

(G) **Class G: Medical Gas.** A pharmacy that provides services as defined in section 338.010, RSMo *[limited to]* through the provision of oxygen and other prescription gases for therapeutic uses; *;*

(H) **Class H: Sterile Product Compounding.** A pharmacy that provides services as defined in section 338.010, RSMo and provides a sterile pharmaceutical as defined in 4 CSR 220-2.200(1). Pharmacies providing sterile pharmaceuticals within the exemptions outlined in 4 CSR 220-2.200(7) and (8) shall not be considered a Class H pharmacy; *and*

(I) **Class I: Consultant.** A location where any activity defined in section 338.010, RSMo is conducted, but which does not include the procurement, storage, possession or ownership of any drugs from the location.

(10) *[Pharmacies issued Class A or Class B permits may engage in all areas of pharmacy services as defined in section 338.010, RSMo without obtaining additional permits from the Board of Pharmacy. Pharmacies issued pharmacy permits in classes C through G are limited to the specific area (type) of pharmacy service(s) for which their permits are issued.]* Pharmacy applications for initial licensure or renewals of a license shall accurately note each class of pharmacy that is practiced at the location noted on the application or renewal thereof. The permit (license) issued by the board shall list each class of licensure that the pharmacy is approved to engage in. Whenever a change in service classification occurs at a pharmacy the permit must be sent to the board with a notarized statement explaining any additions or deletions of pharmacy classes that are to be made.

AUTHORITY: sections 338.140 and 338.220, RSMo Supp. [1998] 1999 and Omnibus State Reorganization Act of 1974 (Appendix B). Original rule filed July 18, 1962, effective July 28, 1962. For intervening history, please consult the Code of State Regulations. Amended: Filed March 15, 2000.

PUBLIC COST: The proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: The proposed amendment will not cost private entities more than \$500 in the aggregate. This amendment will, however, be a cost savings to many pharmacies. Under the current regulation, most remodeling projects in a pharmacy require the filing of a change of location application and a fee of \$125. A cost savings will result to many pharmacies under the new definition of remodeling in section (4)(A), since they will not be required to pay the \$125 fee. The changes to section (10) will result in a cost savings to pharmacies in that one application fee of \$250 will cover more than one class of pharmacy; whereas, under present regulation, each type of pharmacy practice at the same location must pay a separate fee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Pharmacy, Kevin Kinkade, Executive Director, P.O. Box 625, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

is anticipated that the total annual cost will recur each year for the life of the rule, however, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Pharmacy, Kevin Kinkade, Executive Director, P.O. Box 625, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 220—State Board of Pharmacy
Chapter 2—General Rules**

PROPOSED AMENDMENT

4 CSR 220-2.036 Temporary License. The board is proposing to amend sections (1), (7), and (10).

PURPOSE: This amendment will provide for temporary licensure for those individuals completing a residency training or fellowship program in a licensed pharmacy or other accredited internship site, who are not seeking permanent licensure in Missouri.

(1) Temporary licenses issued under authority granted to the board in section 338.043, RSMo **for purposes of completing a residency training or fellowship program** shall limit the right of the licensee to practice only in locations approved by the board under the supervision of a pharmacist licensed to practice pharmacy in this state.

(7) The temporary licensing program is not intended to replace or conflict with any requirements or provisions of 4 CSR 220-2.030 as regards internship or externship. **Students who rotate through a licensed pharmacy or other accredited internship site shall apply for a temporary license when the student is not currently licensed as an intern or registered as a technician. For purposes of this section to qualify for a temporary license the rotation shall be no more than six (6) weeks in length and the student cannot have been previously licensed as an intern by the board.**

(10) Temporary licenses may be issued to licensure transfer candidates **or licensure examination candidates** who successfully complete the requirements for permanent licensure if background criminal checks are not complete.

AUTHORITY: sections 338.043 and 338.140, RSMo Supp. [1997] 1999. Original rule filed May 24, 1993, effective Dec. 9, 1993. Amended: Filed Nov. 21, 1997, effective June 30, 1998. Amended: Filed March 15, 2000.

PUBLIC COST: The proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: The private entity cost for this proposed amendment is estimated to be \$503.30 annually for the life of the rule. It

**FISCAL NOTE
PRIVATE ENTITY COST**

I. RULE NUMBER

Title: Title 4 – Department of Economic Development

Division: Division of Professional Registration/Missouri Board of Pharmacy

Chapter: Chapter 2 – General Rules

Type of Rulemaking: Proposed Amendment

Rule Number and Name: 4 CSR 220-2.036 Temporary License

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate annual cost of compliance with the rule by the affected entities:
10	Individual (Temporary license fee)	\$500.00
10	Individual (postage)	\$3.30

Estimated Annual Cost of Compliance for the Life of the Rule **\$503.30**

III. WORKSHEET

Temporary license fee @ \$50.00

Postage @ \$.33

IV. ASSUMPTIONS

1. The board estimates that approximately ten (10) students completing an internship in Missouri will apply for temporary license annually. The application fee is set out in 4 CSR 220-4.010. The board estimates this application process will cost each applicant approximately \$50.33.
2. The private entity cost for this proposed amendment is estimated to be \$503.30 annually for the life of the rule. It is anticipated that the total annual cost will recur each year for the life of the rule, however, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 220—State Board of Pharmacy
Chapter 2—General Rules**

PROPOSED AMENDMENT

4 CSR 220-2.080 Electronic Data Processing. The board is proposing to amend section (2), add language in a new section (3), renumber the remaining sections accordingly, and amend the newly renumbered section (11).

PURPOSE: This rule amendment establishes procedures for using a prescription hard copy number.

(2) Any EDP system used by any pharmacy for record keeping shall comply with the requirements of section 338.100, RSMo, including the capability to store and retrieve the following information concerning the filling or refilling of any prescription:

(A) Original prescription number **and, if utilized, a prescription hard copy number may be assigned that is different from the assigned original prescription number;**

(3) Prescription hard copies must be filed by either the prescription number or by the hard copy number. Prescription hard copies must be retrievable at the time of inspection.

[[3]] (4) Any pharmacy using an EDP system as described in section (1) shall provide documentation that the information concerning the refills of prescriptions entered into the system for all prescription drugs is accurate. This documentation shall include:

(A) The initials or code designation of the dispensing pharmacist for each refill;

(B) The date of the refill;

(C) The quantity of substances refilled;

(D) The number of authorized refills or dispensable units remaining;

(E) If additional refills are authorized and added to an existing prescription, a notation indicating the method and source of the authorization must be a part of the EDP record or hard copy, in that case the expiration date of the original prescription shall remain the same; and

(F) If any other alteration is made in the original prescription record, a clear audit trail must be maintained. This shall include, but is not limited to, a change in authorizing physician, a change in total quantity ordered or a change in directions.

[[4]] (5) Any pharmacy using an EDP system as described in section (1) shall maintain one (1) of the following:

(A) A bound logbook or separate file in which each pharmacist involved in the pharmacy's record keeping system shall sign a statement each day attesting that information concerning the refill of prescriptions has been entered into the system for that day and that the pharmacist has reviewed the information for accuracy. The logbook or file shall be maintained at the pharmacy for at least five (5) years after the date the drugs, medicines or poisons are dispensed; or

(B) A printout of each day's prescription information. This printout shall be verified and signed by the dispensing pharmacist in the same manner as signing any other legal document. The pharmacist shall verify that the information set forth on the printout is correct. The report shall be maintained by the pharmacy for five (5) years from the date of the prescription activity that it represents and shall be stored in chronological order. The information on the printout shall include, at a minimum, the following:

1. Original prescription number;
2. Patient's name;
3. Name of drug, medicine or poison dispensed;

4. Quantity of drug, medicine or poison dispensed;

5. Dosage form, if applicable;

6. Prescriber's name and DEA number; provided, that this information may be handled through an on-line retrieval where required for controlled substances; and

7. Dispensing pharmacist's code or initials for each prescription. If a code is used, the definition for that code must be available.

[[5]] (6) Any pharmacy opting for the system described in subsection (4)(B) shall have the printout required in its possession within three (3) working days after each day's activities.

[[6]] (7) Any hospital pharmacy using an EDP system, as described in section (1), for outpatient prescriptions, employee prescriptions and take-home prescriptions shall conform to all sections of this rule.

[[7]] (8) Any EDP system, as described in section (1), must be capable of producing the record required in subsections (2)(A)–(M) within three (3) working days.

[[8]] (9) An auxiliary record keeping system shall be established for the documentation of refills if the EDP system is inoperative for any reason. The auxiliary system shall insure that all refills are authorized by the original prescription or prescriber. When this EDP system is restored to operation, the information regarding prescriptions filled and refilled during the inoperative period shall be entered into the EDP system within seven (7) working days. However, nothing in this section shall preclude the pharmacist from using his/her professional judgment for the benefit of a patient's health and safety.

[[9]] (10) If a prescription is transferred to or from a pharmacy using an EDP system, the information required in 4 CSR 220-2.120(2)(A)1. must be made a part of the hard copy prescription as noted. If a prescription is transferred from a pharmacy using an EDP system, a notation or deactivation must be made on the transferred record to preclude any further dispensing. If the same prescription is transferred back into the original pharmacy, it shall be treated as a new record, showing the original date written and expiration date.

[[10]] (11) Prior to or simultaneously with the purging of any EDP system, the pharmacist-in-charge or permit holder shall make certain that a record of all prescription activity being erased exists in readable form, either on paper, */or/* microfiche or electronic media storage. **A pharmacy that desires to discard hard copy prescriptions that are more than three (3) years old must maintain all prescription information on microfiche or electronic media. Any process utilizing microfiche must ensure that all data is available and in readable form. Any pharmacy opting for the utilization of microfiche records must also maintain a microfiche reader so that records may be reviewed on-site by pharmacy personnel or board inspectors. Electronic media storage is defined as any medium such as a computer, floppy disk or diskette, CD or other electronic device that can reproduce all prescription information as required by section 338.100, RSMo and this rule and is retrievable within the time frame defined in section (8) of this rule.**

[[11]] (12) If coded information exists in the electronic EDP, the board inspector may request the definitions of the codes from the pharmacist on duty for immediate review.

[[12]] (13) The EDP system shall be able to provide a listing of drug utilization for any drug for a minimum of the preceding twelve (12)-month period. Drug utilization information shall be available by specific drug product, patient name or practitioner. If

requested to do so, the pharmacy shall have three (3) working days to provide the report.

[(13)] (14) The provisions of this rule shall not conflict with any federal laws or regulations. If any part of this rule is declared invalid by a court of law, that declaration shall not affect the other parts of the rule.

AUTHORITY: sections 338.100 and 338.140, *RSMo Supp. 1999 and 338.280, RSMo [1986] 1994*. Original rule filed March 8, 1984, effective Aug. 11, 1984. Amended: Filed Nov. 4, 1985, effective Feb. 24, 1986. Rescinded and readopted: Filed Dec. 5, 1988, effective March 11, 1989. Amended: Filed March 15, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Pharmacy, Kevin Kinkade, Executive Director, P.O. Box 625, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 220—State Board of Pharmacy
Chapter 2—General Rules**

PROPOSED AMENDMENT

4 CSR 220-2.100 Continuing Pharmacy Education. The board is proposing to amend paragraphs (2)(C)3., (2)(C)4., (2)(C)5. and (2)(C)7., amend sections (3), (5), (7), and (9), and delete the forms that immediately follow this rule in the *Code of State Regulations*.

PURPOSE: This rule amendment allows the board to go to a biennial renewal.

(2) A continuing education program for pharmacists means post-graduate studies that have prior approval of the Missouri Board of Pharmacy to fulfill the requirements of continuing education for relicensure in Missouri. This may include institutes, seminars, lectures, conferences, workshops, extension study, correspondence courses, teaching, professional meetings, self-study courses and any other methods which may be approved by the board, but in any case, the studies must be pharmacy-related.

(C) Continuing pharmacy education programs shall be approved by one (1) of the following methods:

1. All continuing pharmacy education programs offered by providers approved by the American Council on Pharmaceutical Education will be accepted as meeting the requirements of continuing education for relicensure as a pharmacist in Missouri;

2. The Missouri Board of Pharmacy may approve continuing education programs offered by providers who are not approved by the American Council on Pharmaceutical Education. Criteria for approval of those programs shall be based on the criteria promulgated by the American Council on Pharmaceutical Education in its publication "Accreditation Standards and Guidelines" section on Approval of Providers of Pharmaceutical Education, Pages III-1 through III-C. Application to the board for this approval must be made at least three (3) months in advance of the program date to guarantee notification of certification status at least thirty (30) days prior to the date of the program. Applications received less than

three (3) months prior to the date of the program cannot be guaranteed to be certified prior to the date of the program. In any case, applications shall be received by the board two (2) months prior to the program date. Application to the board for this approval shall be made on and in accordance with forms established by the board. The forms shall require detailed information relating to administration and organization, budget and resources, teaching staff, educational content and development, methods of delivery, facilities and evaluation;

3. Any pharmacist whose primary responsibility is not the education of health professionals who leads, instructs or lectures to groups of nurses, physicians, pharmacists or others on pharmacy-related topics in organized continuing education or in-service programs shall be granted continuing education credit for the time expended during actual presentation upon adequate documentation to the Missouri Board of Pharmacy. Application for approval shall be made in accordance with procedures in section (2) of this rule. Credit for the same presentation or program will be allowed only once during a renewal *[year]* period;

4. Any pharmacist whose responsibility is the education of health professionals shall be granted continuing education credit only for time expended in leading, instructing or lecturing to groups of physicians, pharmacists, nurses or others on board-approved pharmacy-related topics in an organized continuing education or in-service program outside his/her formal responsibilities in a learning institution. Approval will be requested using procedures in section (2) and submitted to the Missouri Board of Pharmacy. Credit for the same presentation or program will be allowed only once during a renewal *[year]* period;

5. Credit will be given for undergraduate or graduate studies in any regionally accredited pharmacy, medical or dental educational institution of higher learning. Satisfactory proof of course completion, as required by the board, must be submitted with the renewal notice. The following hourly equivalents will be used by the board in assessing credits:

3 hours/*[']* college credit = 15 contact hours

2 hours/*[']* college credit = 10 contact hours

1 hour college credit = 5 contact hours

6. One and one-half (1.5) continuing education unit (CEU) will be the equivalent of fifteen (15) clock hours of participation in programs approved by the Missouri Board of Pharmacy; and

7. Continuing education hours earned in another state will be accepted by the Missouri Board of Pharmacy provided the hours are acquired **within the same renewal period** and are certified by *[that]* the other state board of pharmacy.

(3) Each licensed pharmacist, instead of submitting proof of the completion of the required continuing education courses, may apply for an inactive license at the time s/he makes application for the renewal of his/her license and pay the required renewal fee. An inactive license then shall be issued and may be renewed *[annually]* during the renewal period. While the inactive license is in effect, the pharmacist shall not practice pharmacy.

(5) Before any inactive license can be reactivated to active status, the licensee shall submit proper evidence that s/he has obtained at least *[ten (10)]* **fifteen (15)** contact hours for each year that his/her license was inactive. It shall be permissible for the licensee to obtain the required contact hours during any time period, while the license is on inactive status, as long as they are obtained prior to activation to active status.

(7) A pharmacist first licensed by the board within *[six (6)]* **nine (9)** months immediately preceding the *[annual]* **biennial** renewal date shall be exempt from the continuing pharmacy education requirements for that *[registration]* **licensure** period.

(9) The proof of completion of continuing education requirements shall be submitted with the [annual] renewal notice [with] and the appropriate fees by submitting—

AUTHORITY: sections 338.043, [and] 338.060 and 338.140, RSMo [Supp. 1997] Supp. 1999. Original rule filed Nov. 9, 1984, effective April 11, 1985. Amended: Filed Nov. 21, 1997, effective June 30, 1998. Amended: Filed March 15, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate. In actuality, this amendment will result in a cost savings to the State Board of Pharmacy because of reduced printing and mailing costs by going to a 2-year renewal cycle.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Pharmacy, Kevin Kinkade, Executive Director, P.O. Box 625, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 220—State Board of Pharmacy
Chapter 2—General Rules**

PROPOSED RULE

4 CSR 220-2.145 Minimum Standards for Multi-Med Dispensing

PURPOSE: This rule establishes standards for multi-med dispensing.

(1) In lieu of dispensing two (2) or more prescribed drug products in separate containers, a pharmacist may, with the consent of the patient, the patient's caregiver, or a prescriber, provide a customized patient medication package (patient med pak).

(2) A patient med pak is a package prepared by a pharmacist for a specific patient comprising a series of containers and containing two (2) or more prescribed solid oral dosage forms. The patient med pak is so designed or each container is so labeled as to indicate the day and time, or period of time that the contents within each container are to be taken.

(A) The patient med pak shall bear a label stating:

1. The name of the patient;
2. A serial number for the patient med pak itself and a separate identifying serial number for each of the prescription orders for each of the drug products contained therein;
3. The name, strength, physical description or identification and total quantity of each drug product contained therein;
4. The directions for use and cautionary statements if any, contained in the prescription order for each drug product therein;
5. Any storage instructions or cautionary statements required by the official compendia;
6. The name of the prescriber of each drug product;
7. The date of preparation of the patient med pak and the beyond-use date assigned to the patient med pak (such beyond-use date shall be not later than sixty (60) days from the date of preparation);
8. The name, address, and telephone number of the dispenser; and

9. Any other information, statements, or warnings required for any of the drug products contained therein.

(B) If the patient med pak allows for the removal or separation of the intact containers therefrom, each individual container shall bear a label identifying each of the drug products contained therein.

(C) The patient med pak shall be accompanied by a patient package insert, in the event that any medication therein is required to be dispensed with such insert as accompanying labeling. Alternatively, such required information may be incorporated into a single, overall, educational insert provided by the pharmacist for the total patient med pak.

(D) In the absence of more stringent packaging requirements for any of the drug products contained therein, each container of the patient med pak shall comply with the moisture permeation requirements for a Class B single-unit or unit-dose container. Each container shall be either not reclosable or so designed as to show evidence of having been opened.

(E) It is the responsibility of the dispenser, when preparing a patient med pak, to take into account any applicable compendial requirements or guidelines and the physical and chemical compatibility of the dosage forms placed within each container, as well as any therapeutic incompatibilities that may attend the simultaneous administration of the medications. In this regard, pharmacists are encouraged to report to USP headquarters any observed or reported incompatibilities.

(F) In addition to any individual prescription filing requirements, a record of each patient med pak shall be made and filed. Each record shall contain, at a minimum:

1. The name and address of the patient;
2. The serial number of the prescription order for each drug product contained therein;
3. The name of the manufacturer or labeler and lot number for each drug product contained therein;
4. Information identifying or describing the design, characteristics, or specifications of the patient med pak sufficient to allow subsequent preparation of an identical patient med pak for the patient;
5. The date of preparation of the patient med pak and the beyond-use date that was assigned;
6. Any special labeling instructions; and
7. The name or initials of the pharmacist who prepared the patient med pak.

(G) There is no special exemption for patient med paks from the requirements of the Poison Prevention Packaging Act. Thus the patient med pak, if it does not meet child-resistant standards, shall be placed in an outer package that does comply, or the necessary consent of the purchaser or physician, to dispense in a container not intended to be child-resistant, shall be obtained.

(H) Once a patient med pak has been delivered to an institution or to a patient it shall not be returned to the pharmacy.

(I) Multi-med packaging of controlled substances is prohibited.

AUTHORITY: sections 338.010, RSMo 1994 and 338.059 and 338.140, RSMo Supp. 1999. Original rule filed March 15, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Board of Pharmacy, Kevin E. Kinkade, Executive Director, P.O. Box 625, Jefferson City, MO 65102-0625. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 220—State Board of Pharmacy
Chapter 4—Fees Charged by the Board of Pharmacy
PROPOSED AMENDMENT**

4 CSR 220-4.010 General Fees. The board is proposing to amend subsection (1)(D).

PURPOSE: This rule amendment allows the board to take its licensees to a biennial renewal.

(1) The following fees are established by the State Board of Pharmacy:

(D) Pharmacist License Renewal Fee \$ [80.00] 160.00

AUTHORITY: sections 338.013, 338.035, 338.060, 338.070, 338.140, 338.220 and 338.350, RSMo [Supp. 1997] Supp. 1999 and 338.020, 338.040, 338.185 and 338.280, RSMo 1994. Emergency rule filed July 15, 1981, effective Aug. 3, 1981, expired Nov. 11, 1981. Original rule filed Aug. 10, 1981, effective Nov. 12, 1981. For intervening history, please consult the *Code of State Regulations*. Amended: Filed March 15, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Pharmacy, Kevin Kinkade, Executive Director, P.O. Box 625, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 220—State Board of Pharmacy
Chapter 5—Drug Distributor
PROPOSED AMENDMENT**

4 CSR 220-5.020 Drug Distributor Licensing Requirements. The board is proposing to amend section (1) and subsection (8)(B) and delete the forms that immediately follow this rule in the *Code of State Regulations*.

PURPOSE: The purpose of the amendment is to set out specific language that drug distributors can only purchase or receive legend drugs and drug-related devices from a licensed or registered drug distributor or licensed pharmacy. This proposed amendment has been reviewed by the Drug Distributor Advisory Committee, as required by section 338.140, RSMo.

(1) As defined in section 338.315, RSMo, pharmacies and all individuals employed by pharmacies shall purchase or receive legend drugs only from a licensed or registered drug distributor or licensed pharmacy. For purposes of this rule, the term drug distributor is used to define anyone engaged in an activity as defined in section 338.330, RSMo. **Drug distributors as defined in 338.330, RSMo, shall only purchase or receive legend drugs and drug related devices from a licensed or registered drug distributor or licensed pharmacy.**

(8) The Board of Pharmacy may grant a temporary license to a wholesale or pharmacy drug distributor to allow for the conduct of business within the state until a determination by the board is made on the issuance of a permanent license.

(B) A license must be posted in a [conspicuous] conspicuous place in the facility to which it is issued.

AUTHORITY: sections 338.330, 338.335 and 338.350, RSMo [1994] Supp. 1999 and 338.333, 338.337 and 338.340, RSMo 1994. Original rule filed Feb. 4, 1991, effective June 10, 1991. Amended: Filed April 28, 1992, effective Feb. 26, 1993. Amended: Filed Jan. 27, 1995, effective Sept. 30, 1995. Amended: Filed March 15, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Pharmacy, Kevin Kinkade, Executive Director, P.O. Box 625, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 220—State Board of Pharmacy
Chapter 5—Drug Distributor
PROPOSED AMENDMENT**

4 CSR 220-5.030 Definitions and Standards for Drug Wholesale and Pharmacy Distributors. The board is proposing to amend sections (2), and (9), and add a new section (10).

PURPOSE: The purpose of this amendment is to reduce the education requirements for the manager-in-charge from 6 years to 2 years. This proposed amendment has been reviewed by the Drug Distributor Advisory Committee, as required by section 338.140.4, RSMo.

(2) No drug distributor license will be issued unless the facility is under the direct supervision of a manager-in-charge.

(B) A person must also have appropriate education, experience, or both, before assuming the duties of manager-in-charge. **Appropriate education for purposes of this section is defined as education in the areas of work environment, standards of operation and knowledge of laws concerning drug distributor compliance and requirements.**

1. Minimum requirements for education/experience may be attained separately or in combination to total [six (6) years] **two (2) years.**

2. Experience within a drug wholesale or pharmacy distributor facility or in any education endeavor beyond a certificate of graduation from an accredited high school or its equivalent may be utilized in meeting these minimum requirements.

(C) Any individual that is considered a manager or supervisor within a facility but is not the manager-in-charge of the facility must meet the minimum education/experience requirements as set forth in this rule for a total of [three (3) years] **one (1) year.**

(E) **Drug distributor operations must be conducted at all times under the supervision of a properly designated manager-in-charge.** When the person who is manager-in-charge resigns or is terminated from the position, the holder of the license shall immediately notify the board office of the resignation or termination of the manager-in-charge and by notarized affidavit give the name of the new manager-in-charge.

(9) As used in section 338.330(3), RSMo, the term "drug related device" shall be defined as an article that is not considered a prescription drug under federal law, but which meets the definition of

a device as provided in 21 U.S.C. 321(h) and 21 U.S.C. [360(j) and (e)] 360j(e).

(10) Brokers, their agents and employees, who act only in the capacity of an agent who arranges or negotiates agreements or contracts for the transfer of drugs or drug related devices and do not take actual possession of the drugs or drug related devices are exempt from maintaining any equipment or physical location requirements involved in the actual storage and distribution of drugs. Brokers shall be responsible for all record keeping requirements as outlined in subsections (3)(I), (J), (K) and (L).

AUTHORITY: sections 338.343, [and 338.350,] RSMo 1994 and 338.350, RSMo Supp. 1999. Original rule filed Feb. 4, 1991, effective June 10, 1991. Amended: Filed Jan. 27, 1995, effective Sept. 30, 1995. Amended: Filed March 15, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate and in actuality, it will result in a cost savings to the licensee because of the lower educational/experience requirements as concerns recruitment and/or educational costs. It is estimated that per individual manager-in-charge, an entity might incur recruitment costs of up to \$1,000, and additional educational costs from \$2,000 to \$5,000 with the existing provisions of this rule. However, with this amendment, those costs would be reduced. An additional savings to the private entity involves brokers, who will be exempted from certain physical requirements for the storage and distribution of drugs. Because the physical attributes of drug distributor facilities vary greatly in square footage and volume of equipment, it is not possible to establish an estimated savings.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Pharmacy, Kevin Kinkade, Executive Director, P.O. Box 625, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 220—State Board of Pharmacy

Chapter 5—Drug Distributor

PROPOSED AMENDMENT

4 CSR 220-5.050 Out-of-State Distributor License Registration Requirements. The board proposes to amend sections (1) and (2) of this rule and remove the forms following the rule from the *Code of State Regulations*.

PURPOSE: The board proposes to amend sections (1) and (2) of this rule to include the term "foreign jurisdiction" in the regulation.

(1) Out-of-state wholesale drug distributors or out-of-state pharmacy distributors may be licensed, as required by sections 338.210–338.370, RSMo by reciprocity, if they—

(A) Possess a valid license in good standing in the state **or foreign jurisdiction** in which they are located pursuant to legal standards comparable to those which must be met by a distributor of this state as prerequisites for obtaining a license under the laws of this state; and

(B) Are located in a state **or foreign jurisdiction** which extends reciprocal treatment under its own laws to a wholesale distributor of this state.

(2) Out-of-state wholesale drug and pharmacy distributors shall not ship, mail or deliver prescription drugs into Missouri without first obtaining a license from the Missouri Board of Pharmacy.

(A) In order for an out-of-state wholesale drug or pharmacy distributor to maintain a license, it must comply with each of the following:

1. Maintain in good standing a license from the state **or foreign jurisdiction** in which the nonresident distributor is located provided that a license is issued by that state **or foreign jurisdiction**;

2. Submit an application as provided by the board for licensure in compliance with sections 338.333 and 338.337, RSMo and with 4 CSR 220-5.020;

3. Pay all appropriate fees;

4. Submit a copy of the state **or foreign jurisdiction** license or its equivalent from the state **or foreign jurisdiction** in which the distributor is located provided that a license is issued by that state **or foreign jurisdiction**;

5. Submit a copy of the state **or foreign jurisdiction** and federal controlled substance registrations from the state **or foreign jurisdiction** in which they are located, if controlled substances are to be shipped into Missouri; and

6. Submit copies, when requested by the board, of any inspection reports, warning notices, notice of deficiency reports or any other related reports from the state **or foreign jurisdiction** in which it is located concerning the operation of an out-of-state drug or pharmacy distributor for review of compliance with state, [and] federal **or foreign jurisdiction** drug laws.

(B) The Missouri Board of Pharmacy will extend reciprocal cooperation to any state **or foreign jurisdiction** that licenses and regulates out-of-state drug or pharmacy distributors for the purpose of investigating complaints against distributors located in Missouri or the sharing of information and investigative reports, as long as the other state **or foreign jurisdiction** will extend the same reciprocal cooperation to the Missouri Board of Pharmacy.

AUTHORITY: sections 338.330, 338.335 and 338.350, RSMo [Cum. Supp. 1989] Supp. 1999 and 338.333 and 338.337, RSMo 1994. Original rule filed Feb. 4, 1991, effective June 10, 1991. Amended: Filed March 15, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: The private entity cost for this proposed amendment is estimated to be \$4,884.30 for the first year of implementation of the rule. Thereafter, the board is anticipating ten (10) individuals will apply for an original license annually and estimates the total annual cost will be \$7,765.30 plus a continuous annual increase of \$2,881.10 for the life of the rule. It is anticipated that the total annual cost will recur each year for the life of the rule, however, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Pharmacy, Kevin E. Kinkade, R. Ph., Executive Director, P.O. Box 625, Jefferson City, MO 65102 or by FAX at (573) 526-3464. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PRIVATE ENTITY COST**

I. RULE NUMBER

Title: 4 – Department of Economic Development

Division: 222 - Division of Professional Registration/Missouri Board of Pharmacy

Chapter: 5 – Drug Distributor

Type of Rulemaking: Proposed Amendment

Rule Number and Name: 4 CSR 220-5.050 Out-of-State Distributor License Registration Requirements

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate annual cost of compliance with the rule by the affected entities:
10	Individuals (original application fee)	\$2,500.00
10	Individuals (fingerprinting fee)	\$360.00
10	Individuals (postage to mail original application)	\$21.00
10	Individuals (license renewal fee)	\$2,000
10	Individual (postage to mail renewal)	\$3.30

**Estimated Cost of Compliance for
the First Year of Implementation
of the Rule**

\$4884.30

**Estimated Annual Cost of
Compliance for the Life of the Rule**

**\$7,765.30 plus a continuous
annual increase of \$2,881.00**

III. WORKSHEET

Original application fee @ \$250.00
Fingerprinting fee @ \$36.00
Postage to mail original application @ \$2.10
License Renewal Fee @ \$200.00
Postage to mail renewal @ \$.33

IV. ASSUMPTIONS

1. The board estimates that approximately ten (10) applications will be received from drug distributors located in foreign jurisdictions per year. The application fee is set out in 4 CSR 220-4.010. The board estimates this application process will cost each applicant approximately \$288.10.

2. The renewal fee is set out in 4 CSR 220-4.010. The board estimates this application process will cost each applicant approximately \$200.33.
3. It is not possible to estimate costs that an applicant could occur should the board investigate his/her background, such costs could include legal representation, delay of licensure approval, etc.
4. The private entity cost for this proposed amendment is estimated to be \$4,884.33.00 for the first year of implementation of the rule. Thereafter, the board is anticipating an ten (10) individuals will apply for an original license annually and estimates the total annual cost will be \$7,765.30 plus a continuous annual increase of \$2,881.00 for the life of the rule. It is anticipated that the total annual cost will recur each year for the life of the rule, however, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 220—State Board of Pharmacy
Chapter 5—Drug Distributor**

PROPOSED RULE

4 CSR 220-5.070 Standards of Operation for Medical Gas Distributors

PURPOSE: This rule establishes standards of operation for medical gas distributors. This proposed rule has been reviewed by the Drug Distributor Advisory Committee as required by section 338.140.4, RSMo.

(1) Medical gases are defined as compressed gases and liquid gases that a distributor or manufacturer has labeled for medical use in compliance with federal law.

(2) Medical gas distributor is defined as an entity which is licensed by the board as a drug distributor and is involved in the distribution of medical gases and related medical devices pursuant to a medical gas order to medical gas suppliers and other entities that are registered, licensed or permitted to use, administer or distribute medical gases.

(3) Medical gas distributors that are not involved in the storage or transfer of any other federal legend drugs and only store, transfer or transfill medical grade gas products other than nitrous oxide are exempt from the following regulation sections: 4 CSR 220-5.030(3)(B); (3)(C)4., 9., 11., 12., 13.; (3)(E); (3)(H) and (3)(M)4. Medical gas distributors that store, transfer or transfill nitrous oxide are exempt from 4 CSR 220-5.030(3)(B); (3)(C)4., 9., 11.; (3)(E) and (3)(M)4. All other drug distributor requirements contained within the board's regulations shall be considered applicable to medical gas distributors.

(4) A medical gas distributor that is involved in the manufacture/transfilling of medical gases must register with the Food and Drug Administration (FDA) as a medical gas manufacturer and comply with the drug listing requirements of the federal act. In addition, all current good manufacturing practice requirements as set forth in 21 CFR 210 through 211 must be complied with.

AUTHORITY: sections 338.050, 338.333, 338.337 and 338.340, RSMo 1994 and 338.335, RSMo Supp. 1999. Original rule filed March 15, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate and will in fact, result in a cost savings to approximately 175 licensees, because of the exemption granted from portions of the minimum standards for equipment, storage and record keeping requirements. Because of the variation of settings and costs, it is not possible to determine an accurate cost savings, however, it is estimated to be in the range of \$3,000 to \$4,000 dollars annually per medical gas licensee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Board of Pharmacy, Kevin Kinkade, Executive Director, P.O. Box 625, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 235—State Committee of Psychologists
Chapter 1—General Rules**

PROPOSED AMENDMENT

4 CSR 235-1.020 Fees. The committee is proposing to amend section (1).

PURPOSE: This rule amends various fees charged by the State Committee of Psychologists and allows the board to take its licensees to a biennial renewal.

(1) The following fees are established for the State Committee of Psychologists and are payable *[in the form of a cashier's check, personal check or money order]* to the State Committee of Psychologists:

(A) Application for Provisional Licensure or Application for Temporary Licensure or Application for Licensure Fee	\$ 150.00
(C) Oral <i>[Interview]</i> Examination Fee	\$ 100.00
(D) Jurisprudence Examination Fee	<i>[\$ 60.00]</i> \$ 50.00
(E) Reexamination Fees—	
1. EPPP Fee	\$350.00
2. Oral <i>[Interview]</i> Examination Fee	\$100.00
3. Jurisprudence Examination Fee	<i>[\$ 60.00]</i> \$ 50.00
<i>[(F) Reciprocity/Endorsement of Score Fee</i>	<i>\$ 50.00]</i>
<i>[(G)] (F) [Annual] Biennial Renewal Fee</i>	<i>[\$ 150.00]</i> \$300.00
<i>[(H)] (G) [Annual] Delinquency Fee (effective February 1 after each renewal period, in addition to the [Annual] Renewal Fee)</i>	\$ 150.00
<i>[(I)] (H) Photocopy Fee (per page)</i>	\$.50
<i>[(J)] (I) Licensure Verification/Transfer of Score to Other States Fee</i>	\$ 25.00
<i>[(K)] (J) Replacement of Wall-Hanging License Fee</i>	\$ 25.00
<i>[(L)] (K) Insufficient Funds Check Service Charge</i>	\$ 50.00
<i>[(M)] (L) Prior Review Fee (educational experience)</i>	\$ 100.00
<i>[(N)] (M) Prior Review Fee (postdegree supervision)</i>	\$ 100.00
<i>[(O)] (N) Health Service Provider Application Fee</i>	\$ 100.00
<i>[(P)] (O) Health Service Provider [Annual] Biennial Renewal Fee</i>	<i>[\$ 50.00]</i> \$100.00.

AUTHORITY: section 337.030.4, RSMo [Supp. 1998] Supp. 1999. Emergency rule filed Dec. 9, 1981, effective Jan. 11, 1982, expired April 4, 1982. Original rule filed Dec. 9, 1981, effective April 4, 1982. For intervening history, please consult the Code of State Regulations. Amended: Filed March 10, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Committee of Psychologists, P.O. Box 1335, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 45—Metallic Minerals Waste Management
Chapter 1—Organization

PROPOSED AMENDMENT

10 CSR 45-1.010 General Organization. The department is amending section (3).

PURPOSE: The purpose of this proposed amendment is to change the name of the agency within the Department of Natural Resources that is authorized to administer the requirements of the Metallic Minerals Waste Management Act from the Water Pollution Control Program to the Land Reclamation Program.

(3) The Department of Natural Resources staff working under the provisions of the Metallic Minerals Waste Management Act are within the Division of Environmental Quality, [Water Pollution Control] Land Reclamation Program with its central office in Jefferson City, Missouri. Local information can be obtained from one (1) of six (6) regional offices located in Jefferson City, Kansas City, Macon, Poplar Bluff, St. Louis and Springfield.

AUTHORITY: sections 444.352–444.380, RSMo [(Supp. 1989)] 1994 and Supp. 1999 and 536.023(3), RSMo [1986] Supp. 1999. Original rule filed Oct. 2, 1990, effective April 29, 1991. Amended: Filed Jan. 19, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Natural Resources, Land Reclamation Program, Larry Coen, Staff Director, P.O. Box 176, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 45—Metallic Minerals Waste Management
Chapter 2—Definitions

PROPOSED AMENDMENT

10 CSR 45-2.010 Definitions. The department is amending subsection (2)(J).

PURPOSE: The purpose of this proposed amendment is to correct a statutory reference found in the Metallic Minerals Waste Management Act, section 444.352, relating to the metallic minerals waste disposal areas or waste management areas.

(2) This section contains additional definitions of terms used in 10 CSR 45.

(J) Metallic minerals waste management area boundary. The final planned outermost limits of the metallic minerals waste disposal areas or waste management areas as defined in section 444.352[(9)] (10), RSMo [(Cum.) Supp. 1989]]. This boundary will identify and encompass the areas used to compute the required amount of financial assurance.

AUTHORITY: sections 444.352–444.380, RSMo [Supp. 1989]] 1994 and Supp. 1999 and 536.023(3), RSMo Supp. 1999.

Original rule filed Oct. 2, 1990, effective April 29, 1991. Amended: Filed Jan. 19, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Natural Resources, Land Reclamation Program, Larry Coen, Staff Director, P.O. Box 176, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 45—Metallic Minerals Waste Management
Chapter 3—Administrative Penalties

PROPOSED RESCISSION

10 CSR 45-3.010 Administrative Penalties. This rule set forth the procedures for determining the amount of an administrative penalty for a violation of the Metallic Minerals Waste Management Act, sections 444.352 to 444.380, RSMo or any rule related to said act, and the associated appeals provisions.

PURPOSE: The Department of Natural Resources is proposing to rescind this rule and propose a new rule that more clearly details the procedures for determining the amount of an administrative penalty for a violation of the Metallic Minerals Waste Management Act, sections 444.352 to 444.380 RSMo.

AUTHORITY: section 444.380, RSMo Supp. 1990. Original rule filed Dec. 31, 1991, effective June 25, 1992. Rescinded: Filed Jan. 19, 2000.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Natural Resources, Land Reclamation Program, Larry Coen, Staff Director, P.O. Box 176, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 45—Metallic Minerals Waste Management
Chapter 3—Administrative Penalties

PROPOSED RULE

10 CSR 45-3.010 Administrative Penalty Assessment

PURPOSE: This rule establishes the procedures for assessment of administrative penalties under the Metallic Minerals Waste Management Act.

(1) General Provisions.

(A) Pursuant to section 444.376, RSMo, and in addition to any other remedy provided by law, upon determination by the department that a provision of sections 444.350–444.380, RSMo, or a standard, limitation, order or rule or regulation promulgated, or a term or condition of any permit has been violated, the department may issue an order assessing an administrative penalty upon the violator. The amount of the administrative penalty will be determined according to section (3) of this rule. In no event may the total penalty assessed per day of violation exceed the statutory maximum specified in section 444.375, RSMo.

(B) An administrative penalty shall not be imposed until the department has sought to resolve the violations through conference, conciliation and persuasion and shall not be imposed for minor violations. If the violation is resolved through conference, conciliation and persuasion, no administrative penalty shall be assessed unless the violation has caused, or has the potential to cause, a risk to human health or to the environment, or has caused or has potential to cause pollution, or was knowingly committed, or is not a minor violation.

(C) An order assessing an administrative penalty shall be served upon the operator, owner or appropriate representative through United States Postal Service certified mail, return receipt requested, a private courier or messenger service which provides verification of delivery or by hand delivery to the operator's or owner's residence or place of business. An order assessing an administrative penalty shall be considered as appropriately served if verified receipt is made by the operator's or owner's appropriate representative. A refusal to accept, or a rejection of certified mail, private courier or messenger service delivery or by hand delivery of an order assessing an administrative penalty constitutes service of the order.

(D) The department may at any time withdraw without prejudice any administrative penalty order.

(E) An order assessing an administrative penalty shall describe the nature of the violation(s), the amount of the administrative penalty being assessed and the basis of the penalty calculation.

(2) Definitions.

(A) Definitions for key words used in this rule may be found in 10 CSR 45-10.012.

(B) Additional definitions specific to this rule are as follows:

1. Conference, conciliation and persuasion—A process of verbal or written communications, consisting of meetings, reports, correspondence or telephone conferences between authorized representatives of the department and the alleged violator. The process shall, at minimum, consist of one offer to meet with the alleged violator tendered by the department. During any such meeting, the department and the alleged violator shall negotiate in good faith to eliminate the alleged violation and shall attempt to agree upon a plan to achieve compliance;

2. Economic benefit—Any monetary gain which accrues to a violator as a result of noncompliance;

3. Gravity-based assessment—The degree of seriousness of a violation taking into consideration the risk to human health and the environment posed by the violation and considering the extent of deviation from sections 444.350–444.380, RSMo;

4. Minor violation—A violation which possesses a small potential to harm the environment or human health or cause pollution, was not knowingly committed, and is not defined by the United States Environmental Protection Agency (U.S. EPA) as other than minor;

5. Multiple violation penalty—The sum of individual administrative penalties assessed when two (2) or more violations are included in the same complaint or enforcement action; and

6. Multi-day violation—A violation which has occurred on or continued for two (2) or more consecutive or nonconsecutive days.

(3) Determination of Penalties. The amount of an administrative penalty will involve the application of a gravity-based assessment under subsection (3)(A) and may involve additional factors for multiple violations under (3)(B), multi-day violations under (3)(C), and economic benefit resulting from noncompliance under (3)(D). The resulting administrative penalty may be further adjusted as specified under (3)(E).

(A) Gravity-Based Assessment. The gravity-based assessment is determined by evaluating the potential for harm posed by the violation and the extent to which the violation deviates from the requirements of the law.

1. Potential for harm. The potential for harm posed by a violation is based on the risk to human health, safety or the environment or to the purposes of implementing the Metallic Minerals Waste Management Act (MMWMA) and associated rules and permits.

A. The risk of exposure is dependent on both the likelihood that humans or the environment may be exposed to contaminants and the degree of potential exposure. Penalties will reflect the probability the violation either did result in or could have resulted in a release of contaminants in the environment, and the harm which either did occur or would have occurred if the release had in fact occurred.

B. Violations which may or may not pose a potential threat to human health or the environment, but which have an adverse effect upon the purposes of or procedures for implementing the MMWMA and associated rules and/or permits may be assessed penalty.

C. The potential for harm shall be evaluated according to the following degrees of severity:

(I) Major. The violation poses or may pose a substantial risk to human health, safety or to the environment, or has or may have a substantial adverse effect on the purposes of or procedures for implementing the MMWMA and associated rules and/or permits;

(II) Moderate. The violation poses or may pose a significant risk to human health, safety or to the environment, or has or may have a significant adverse effect on the purposes of or procedures for implementing the MMWMA and associated rules and/or permits; and

(III) Minor. The violation does not pose significant or substantial risk to human health, safety or to the environment, was not knowingly committed, and is not a minor violation.

2. Extent of deviation. The extent of deviation may range from slight to total disregard of the requirements of the law, and associated rules and/or permits. The assessment will reflect this range and will be evaluated according to the following degrees of severity:

A. Major. The violator has deviated substantially from the requirements of the MMWMA, associated rules or permits resulting in substantial noncompliance;

B. Moderate. The violator has deviated significantly from the requirements of the MMWMA, associated rules or permits resulting in significant noncompliance; and

C. Minor. The violator has deviated slightly from the requirements of the MMWMA, associated rules or permits that does not result in substantial or significant noncompliance; most provisions were implemented as intended; the violation was not knowingly committed and is not defined by the U.S. EPA as other than minor.

3. Gravity-based penalty assessment matrix. The matrix that follows will be used to determine the gravity-based assessment portion of the administrative penalty. Potential for harm and extent of deviation form the axes of the matrix. The penalty range selected may be adapted to the circumstances of a particular violation.

Gravity-Based Assessment Matrix

Potential for Harm	Extent of Deviation		
	Major	Moderate	Minor
Major	\$871 to \$1,000	\$751 to \$870	\$631 to \$750
	\$935	\$810	\$690
Moderate	\$521 to \$630	\$411 to \$520	\$301 to \$410
	\$575	\$465	\$355
Minor	\$201 to \$300	\$101 to \$200	\$0
	\$250	\$150	

(B) Multiple Violation Penalty. Penalties for multiple violations may be determined when a violation is independent of or substantially different from any other violation. The department may order a separate administrative penalty for that violation as set forth in this rule.

(C) Multi-Day Penalty. Penalties for multi-day violations may be determined when the department has concluded that a violation(s) has continued or occurred for more than one (1) day. Multi-day penalty assessments will be determined by using the Gravity-Based Assessment Matrix in paragraph (3)(A)3. The department may seek penalties for each day of noncompliance not to exceed the amount of the civil penalty specified in section 444.375, RSMo.

(D) Economic Benefit. Any economic benefits, including delayed and avoided costs that have accrued to the violator as a result of noncompliance will be added to the penalty amount. Determination will be made by the department using an economic benefit formula that provides a reasonable estimate of the economic benefit of noncompliance. Economic benefit may be excluded from the administrative penalty if:

1. The economic benefit is an insignificant amount;
2. There are compelling public concerns that would not be served by taking a case to trial; or
3. It is unlikely that the department would be able to recover the economic benefit in litigation based on the particular case.

(E) Adjustments. The department may add to or subtract from the total amount of the penalty after consideration of the following adjustments:

1. Recalculation of penalty amount. After the issuance of an order by the department, if new information about a violation becomes available which indicates that the original penalty calculation may have been incorrect, the department may recalculate the penalty;

2. Good faith efforts to comply. The department may adjust a penalty amount downward if good faith efforts have been adequately documented by the violator. Good faith efforts include, but are not limited to, documentation that the violator has reported noncompliance or instituted measures to remedy the violation prior to detection by the department. However, good faith efforts to achieve compliance after agency detection are assumed and are not grounds for decreasing the penalty amount;

3. Culpability. In cases of heightened culpability which do not meet the standard of criminal activity, the penalty may be increased at the discretion of the department, within the ranges of the matrix. Likewise, in cases where there is a demonstrable absence of culpability, the department may decrease the penalty. Lack of knowledge of the MMWMA and any associated rule or

permit shall not be a basis of decreased culpability. The following criteria will be used to determine culpability:

A. How much control the violator had over the events constituting the violation;

B. The foreseeability of the events constituting the violation;

C. Whether the violator took reasonable precautions against the events constituting the violation;

D. Whether the violator knew or should have known of the hazards associated with the conduct; and

E. Whether the violator knew or should have known of the legal requirement which was violated. This criteria shall be used only to increase a penalty, not to decrease it;

4. History of noncompliance. Where there has been a history of noncompliance with the MMWMA or any associated rule and/or permit, to a degree deemed significant due to frequency, similarity or seriousness of past violations, and considering the violator's response to previous enforcement actions, the department may increase the administrative penalty. No downward adjustment is allowed because of this factor;

5. Ability to pay. When a violator has adequately documented that payment of all or a portion of the administrative penalty will preclude the violator from achieving compliance or from carrying out important remedial measures, the department may—

A. Waive any of the administrative penalty; or

B. Negotiate a delayed payment schedule, installment plan or penalty reductions with stipulated penalties;

6. Other adjustment factors. This rule allows for other penalty adjustments based on fairness and equity not mentioned in this rule which may arise on a case-by-case basis.

(4) The proceeds from any administrative penalty assessed in accordance with this rule shall be paid to the county in which the violation(s) occurred for the use and benefit of the public county schools.

(5) Nothing in this rule shall be construed as satisfying any claim by the state for natural resource damages.

AUTHORITY: section 444.355, RSMo 1994. Original rule filed Dec. 31, 1991, effective June 25, 1992. Rescinded and readopted: Filed Jan. 19, 2000.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions \$3,567 in the aggregate per year. See detailed fiscal note for assumptions.

PRIVATE COST: This proposed rule will cost private entities \$8,000 in the aggregate per year. See detailed fiscal note for assumptions.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Natural Resources, Land Reclamation Program, Larry Coen, Staff Director, P.O. Box 176, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC ENTITY COST**

I. RULE NUMBER

Title: 10 - DEPARTMENT OF NATURAL RESOURCES

Division: 45- MetallicMineralsWasteManagement

Chapter: 3-Administrative Penalties

Type of Rulemaking: Proposed Rule

Rule Number and Name: 10 CSR 45-3.010 Administrative Penalties

II. SUMMARY OF FISCAL IMPACT

Table 1.

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
DNR/LRP	\$ 25,320.00
AGO	\$ 46,023.00
TOTAL	\$ 71,343.00

III. WORKSHEET

EXPENDITURE OF MONEY OR REDUCTION IN INCOME -

Summary of Public Entity Costs of 10 CSR 45-3.010.

Table 2.

Agency	Cost from effective date to beginning of first fiscal year	First full fiscal year implementation (FY01)	Estimated annualized cost	Total Aggregate Cost (see assumption 1)
DNR/LRP	\$ 106.00	\$ 1,266.00	\$ 1,266.00	\$ 25,320.00
AGO	\$ 192.00	\$ 2,301.00	\$ 2,301.00	\$ 46,023.00
TOTAL	\$ 298.00	\$ 3,567.00	\$ 3,567.00	\$ 71,343.00

Calculations and Detailed Justification

Table 3.

Personnel	#FTE	Salary	DNR Costs	AGO Costs	Assumption References
Staff Attorney (AGO)	1	56.39 per hour		\$1,550.73	See assumption 10
LR Spec III	1	17.50 per hour	\$350.00		See assumption 9
Hearing Expenses			\$750.00		See assumption 9
Subtotal			\$1100.00	\$1,550.73	

Fringe	24.50%		\$85.75	\$379.93	See assumptions 4, 11
Personnel	#FTE	Salary	DNR Costs	AGO Costs	Assumption References
E&E			----	\$14.60	See assumptions 4, 13
Indirect Cost	22.95%		\$80.33	\$355.89	See assumptions 4, 12
Subtotal			\$166.08	\$750.42	
Total			\$516.08	\$2,301.15	
Total			\$1,266.08	\$2,301.15	
DNR + AGO	+Private	Grand total		\$3,567.00	

IV. ASSUMPTIONS

1. The effective life of 10 CSR 45-3.010 is indeterminable. For purposes of this rulemaking, aggregate cost figures for the life of the rule shown in Tables 1 and 2 are estimated on the assumption of a twenty-year life of the rule.
2. Fiscal year 2000 dollars were used to estimate the costs and no adjustments were made to allow for inflation.
3. Estimates of the cost of compliance with state statutes and required federal regulations are not included in this cost estimate.
4. The DNR fringe rate, indirect rates, and E & E costs were applied in calculating the costs of the Land Reclamation Program and the Attorney General's Office.
5. The original 10 CSR 45-3.010 was filed December 31, 1991 and became effective June 25, 1992. The original rule is to be rescinded if the Missouri Department of Natural Resources adopts the new proposed administrative penalty rule.
6. This cost estimate assumes a constant regulatory context that requires no reporting or standards beyond those currently required.
7. This cost estimate assumes there will be no new or sudden changes in technology that would influence costs.
8. The size of the regulated community remains constant.
9. This rule partly replaces traditional enforcement procedures. No new positions (FTE) are required. An appeal of an administrative penalty would involve about 60 hours of staff time for a Land Reclamation Specialist III. A hearing officer, who charges an average of \$80.00/hour with associated costs of transcripts, court reporter, etc., will, on average cost the Land Reclamation Program approximately \$3,000.

10. It is assumed that the Staff Attorney will handle one (1) case every two (2) years of typical hearings averaging five hours a case not counting litigation and trial cases. It is also assumed that there will be an appeal rate of 50% (1 case every 4 years) averaging 100 hours each.
11. The fringe rate is assumed to be 24.50%.
12. The Division of Environmental Quality/Land Reclamation Program indirect rate is 22.95%.
13. The Expense & Equipment amount is apportioned to existing FTEs at the rate of \$740.00 each per year for DNR/LRP personnel and \$1,110.00 each per year for AGO personnel.

FISCAL NOTE PRIVATE ENTITY COST

I. RULE NUMBER

Title: 10 - DEPARTMENT OF NATURAL RESOURCES

Division: 45- MetallicMineralsWasteManagement

Chapter: 3—Administrative Penalties

Type of Rulemaking: Proposed Rule

Rule Number and Name: 10 CSR 45-3.010 Administrative Penalties

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the Proposed Rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
All entities in all classes that are subject to 444.352 to 444.380 RSMo or any rule of the Missouri Department of Natural Resources related to Metallic Minerals Waste Management Areas or any site that is permitted by the Department of Natural Resources under the Metallic Minerals Waste Management Act. Eleven (11) sites are currently permitted under this Act.	All entities in all classes that are subject to 444.352 to 444.380 RSMo or any rule of the Missouri Department of Natural Resources or any site that is permitted by the Missouri Department of Natural Resources under the Metallic Minerals Waste Management Act. Please see list below.	\$ 160,000.00 (See discussion in III. WORKSHEET beginning with the third paragraph)

The following list is based on the Standard Industrial Code. The list provides an extensive summary of classes.

SIC Code Commercial or Industrial Classification Number of Facilities

10

METAL MINING

11

III. WORKSHEET

It is not possible to estimate with a high degree of confidence the potential cost of this rule. The total costs to the private sector would be based on a wide variety of variables. Some of these include the type and severity of the non-compliance, economic benefit of non-compliance to the violator, past non-compliance history, ability of the violator to pay any applicable penalties, the overall number of violations suitable for administrative penalties, and decisions by violators to appeal administrative penalty orders.

To date there is no enforcement or administrative penalty history available from which to derive private entity costs. However, for the purposes of establishing costs for this fiscal note we are using a law that has a similar enforcement and matrix-based penalty assessment mechanism as an example, The Land Reclamation Act (sections 444.760 to 444.790 RSMo). Under that law, the current average penalty assessed on a violator is \$500.00.

IV. ASSUMPTIONS

1. The original 10 CSR 45-3.010 was filed December 31, 1991 and became effective June 25, 1992. The original rule is to be rescinded if the Missouri Department of Natural Resources adopts the new proposed administrative penalty rule.
2. The effective life of 10 CSR 45-3.010 is indeterminable. For purposes of this rulemaking, aggregate cost figures for the life of the rule shown in "II. SUMMARY OF FISCAL IMPACT" on page 1 is estimated on the assumption of a twenty-year life of the rule.
3. Rule 10 CSR 45-3.010 describes a gravity-based assessment matrix by which administrative penalties are assessed. The matrix will be used to determine the gravity-based assessment portion of the administrative penalty and may involve additional factors for multiple violations, multi-day violations, and economic benefit resulting from noncompliance. Potential for harm and extent of deviation form the axes of the matrix. The penalty range selected may be adapted to the circumstances of a particular violation.
4. If there is one (1) administrative penalty case in the course of a state fiscal year (July 1/June 30), times the current average assessed penalty of \$ 500.00, the fiscal year cost to private entities would be \$ 500.00.
5. Local environmental attorneys were contacted for an estimate for the appeal of an administrative penalty case. The figure ranged from \$ 10,000.00 to \$15,000.00. It was the consensus that if an appealed case was litigated to the limit, it would cost about the same as a circuit court trial.
6. If one (1) appeal is assumed every two-(2) fiscal years, the cost to private

entities could be estimated at \$ 7,500.00. If the life of this rule is estimated to be twenty years (20), then the aggregate cost over 20 years to private entities would be estimated at \$ 160,000.00 as follows:

1 case per fiscal year x \$500.00 -----	\$500.00
0.5 appeals x \$15,000.00 -----	<u>\$7,500.00</u>
Subtotal	\$8,000.00

\$8,000.00 x 20 year estimated life of rule = \$160,000.00 (20 year estimated
cost to private entities)

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 45—Metallic Minerals Waste Management
Chapter 6—Permits**

PROPOSED AMENDMENT

10 CSR 45-6.010 Permit Applications—General. The director is amending subsection (2)(A).

PURPOSE: The purpose of this proposed amendment is to change the agency that has the responsibility for reviewing permit applications within the Department of Natural Resources from the Water Pollution Control Program to the Land Reclamation Program.

(2) The minimum contents of the application are listed in section 444.360, RSMo Supp. 1989. To support implementation of the statute—

(A) Application documents should be submitted in triplicate to the [Water Pollution Control/ Land Reclamation Program, P.O. Box 176, Jefferson City, MO 65102;

AUTHORITY: section 444.380, RSMo [Supp. 1989] Supp. 1999. Original rule filed Oct. 2, 1990, effective April 29, 1991. Amended: Filed Jan. 19, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Natural Resources, Land Reclamation Program, Larry Coen, Staff Director, P.O. Box 176, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 45—Metallic Minerals Waste Management
Chapter 6—Permits**

PROPOSED AMENDMENT

10 CSR 45-6.020 Closure Plan and Inspection-Maintenance Plan—General Requirements. The director is amending subsection (2)(C) and adding subsection (2)(G).

PURPOSE: The purpose of this proposed amendment is to correct statutory references for waste tire and hazardous waste requirements as they relate to inclusion into the closure and inspection-maintenance plans for Metallic Minerals Waste Management permits.

(2) Consistent with sections 444.362 and 444.365, RSMo [(Cum.)] Supp. 1989[)], the requirements of applicable state environmental programs and permits shall be included in the closure and inspection-maintenance plans. Compliance with these requirements will be considered a condition of the Metallic Minerals Waste Management Permit. Existing environmental programs, permits, statutes and rules include, but are not limited to:

(C) The Solid Waste Management Program's—

1. Solid Waste Disposal Area Permit, sections 260.200–260.245, RSMo and 10 CSR 80-1.010–10 CSR 80-4.010;

2. Solid Waste Processing Facility Permit, sections 260.200–260.245, RSMo, 10 CSR 80-1.010, 10 CSR 80-2.020 and 10 CSR 80-5.010; and

3. [Hazardous Waste Facility Permit, sections 260.350–260.550, RSMo and 10 CSR 25-9;] Waste Tire Requirements, sections 206.200–206.345, RSMo and 10 CSR 80-8.020–10 CSR 80-8.060;

[4. Hazardous Waste Resource Recovery Certification, sections 260.350–260.550, RSMo and 10 CSR 25-9; and

5. Hazardous Waste Transporter's License, section 260.395, RSMo and 10 CSR 25-6;]

(E) The Public Drinking Water Program's permit to construct and permit to dispense drinking water, sections 640.110.1. and 640.115, RSMo and 10 CSR 60-10.010 and 10 CSR 60-3.010; [and/

(F) The Land Reclamation Program's permit to engage in surface mining and sections 444.500–444.786, RSMo[.]; and

(G) The Hazardous Waste Management Program's—

1. Hazardous Waste Generator Notification Requirements, section 260.380, RSMo and 10 CSR 25-5;

2. Hazardous Waste Resource Recovery Certification, section 260.350–260.434, RSMo and 10 CSR 25-9; and

3. Hazardous Waste Facility Permit, section 260.350, RSMo and 10 CSR 25.

AUTHORITY: section 444.380, RSMo [Supp. 1989] Supp. 1999. Original rule filed Oct. 2, 1990, effective April 29, 1991. Amended: Filed Jan. 19, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Natural Resources, Land Reclamation Program, Larry Coen, Staff Director, P.O. Box 176, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 45—Metallic Minerals Waste Management
Chapter 6—Permits**

PROPOSED AMENDMENT

10 CSR 45-6.030 Financial Assurance—Company Guarantee and Financial Test. The director is amending subsections (2)(C) and (2)(J) and deleting the Appendix following the rule from the Code of State Regulations.

PURPOSE: The purpose of this proposed amendment is to allow the director of the Department of Natural Resources to provide a form letter to be used by a permit holder in the form of a company guarantee and financial test in order to fulfill the requirement for a financial assurance instrument.

(2) Company Guarantee and Financial Test. The requirements for a financial assurance instrument may be satisfied by passing a financial test and submitting a letter from the company guaranteeing the required amount of financial assurance. A corporate guarantee submitted by the parent corporation of the owner/operator as specified in subsection (2)(J) of this rule may also be used to satisfy the requirement for financial assurance.

(C) To demonstrate that s/he meets this test, the owner/operator must submit the following items to the director:

1. A **form letter provided by the director**, signed by the owner/operator's chief financial officer and worded as specified *[in the Appendix Form 1-1] on the form letter*;

2. A copy of the independent certified public accountant's report on examination of the owner/operator's financial statements for the latest completed fiscal year; and

3. A special report from the owner/operator's independent certified public accountant to the owner/operator stating that—

A. S/he has compared the data which the **form letter** from the chief financial officer specifies as having been derived from the independently audited year-end financial statements for the latest fiscal year with the amounts in those financial statements; and

B. No matters in connection with that procedure, came to his/her attention which caused him/her to believe that the specified data should be adjusted.

(J) An owner/operator may meet the financial assurance requirements of section 444.368, RSMo *[(Cum.) Supp. 1989/]*, by obtaining a written guarantee, referred to in this rule as a corporate guarantee. The guarantor must be the parent corporation of the owner/operator. The guarantor must meet the requirements for owner/operators in subsections (2)(A)–(I) of this rule and must comply with the terms of the corporate guarantee. The wording of the corporate guarantee must be identical to the wording specified *[in] on the [Appendix Form 2] forms provided by the director to meet the guarantee*. The corporate guarantee must accompany the items sent to the director as specified in subsection (2)(C) of this rule. The terms of the corporate guarantee shall provide that—

1. If the owner/operator fails to perform closure and/or inspection-maintenance of a disposal area covered by the corporate guarantee in accordance with the closure and/or inspection-maintenance plan and other permit requirements whenever required to do so, the guarantor will do so or establish alternate financial assurance as specified in section 444.368, RSMo *[(Cum.) Supp. 1989/]*, in the name of the owner/operator;

2. The corporate guarantee will remain in force unless the guarantor sends notice of cancellation by certified mail to the owner/operator and to the director. Cancellation may not occur, however, during the one hundred twenty (120) days beginning on the date of receipt of the notice of cancellation by both the owner/operator and the director as evidenced by the return receipts; and

3. If the owner/operator fails to provide alternate financial assurance as specified in section 444.368, RSMo *[(Cum.) Supp. 1989/]*, and obtain the written approval of the alternate assurance from the director within ninety (90) days after receipt of both the owner/operator and the director of a notice of cancellation of the corporate guarantee from the guarantor, the guarantor will provide alternative financial assurance in the name of the owner/operator.

AUTHORITY: section 444.380, RSMo *[Supp. 1989] Supp. 1999*. Original rule filed Oct. 2, 1990, effective April 29, 1991. Amended: Filed Jan. 19, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Natural Resources, Land Reclamation Program, Larry Coen, Staff Director, P.O. Box 176, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—Division of Medical Services
Chapter 15—Hospital Program**

PROPOSED AMENDMENT

13 CSR 70-15.110 Federal Reimbursement Allowance (FRA).
The division is adding section (8).

PURPOSE: The proposed amendment adds section (8). This section will establish the Federal Reimbursement Allowance (FRA) Assessment for SFY 2001.

(8) Federal Reimbursement Allowance (FRA) for State Fiscal Year 2001. The FRA assessment for State Fiscal Year 2001 shall be determined at the rate of five and thirty hundredths percent (5.30%) of the hospital's net operating revenues and other operating revenues defined in paragraphs (1)(A)12., and 13., as determined from information reported in the hospital's 1997 base year cost report.

AUTHORITY: sections 208.201 and 208.453, RSMo 1994 and 208.455, RSMo *[Supp. 1998] Supp. 1999*. Emergency rule filed Sept. 21, 1992, effective Oct. 1, 1992, expired Jan. 28, 1993. Emergency rule filed Jan. 15, 1993, effective Jan. 25, 1993, expired May 24, 1993. Original rule filed Sept. 21, 1992, effective June 7, 1993. For intervening history, please consult the *Code of State Regulations*. Amended: Filed March 3, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will cost 133 private entities \$390,255,500. The estimated cost is based on an FRA assessment rate of 5.30% on net patient revenue and other operating revenue of \$7,363,572,913 for SFY 2001.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of the Director, Division of Medical Services, 615 Howerton Court, Jefferson City, MO 65109. To be considered, comments must be received within thirty days after publication of this notice in *Missouri Register*. No public hearing is scheduled.

**FISCAL NOTE
PRIVATE ENTITY COST**

I. RULE NUMBER

Title: 13 -- Department of Social Services
Division: 70 -- Division of Medical Services
Chapter: 15 -- Hospital Program
Type of Rulemaking: Proposed Amendment
Rule Number and Name: 13 CSR 70-15.110 Federal Reimbursement Allowance (FRA)

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
133	Hospitals	\$390,255,500

III. WORKSHEET

The estimated impact of this amendment is based on the FRA assessment percentage for SFY 2001 being set at five and thirty hundredths percent (5.30%). The 133 hospitals reported above include 39 hospitals that are owned, operated or controlled by state, county, city or hospital districts. The impact on these facilities is \$42,568,946.

IV. ASSUMPTIONS

The SFY 2001 FRA assessment is based on net patient revenue and other operating revenue of \$7,363,572,913 multiplied by five and thirty hundredths percent (5.30%).

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement
System
Chapter 2—Administrative Rules

PROPOSED RESCISSION

16 CSR 30-2.030 Prior Service Credit for Military Service. This rule established guidelines relative to establishing prior service credit for military service.

PURPOSE: This proposed rescission is a result of this rule being reenacted by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The reenacted rule is located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The reenacted rule is also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: section 104.330, RSMo 1986. Original rule filed Dec. 18, 1975, effective Jan. 1, 1976. Amended: Filed Nov. 25, 1992, effective June 7, 1993. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement
System
Chapter 2—Administrative Rules

PROPOSED RESCISSION

16 CSR 30-2.031 Military Service, Purchase of. This rule established procedures for calculating the cost and credit for military service.

PURPOSE: This proposed rescission is a result of this rule being reenacted by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The reenacted rule is located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The reenacted rule is also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: sections 104.010, RSMo Supp. 1989 and 104.500, RSMo Supp. 1988. Original rule filed Nov. 25, 1992, effective June 7, 1993. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement
System
Chapter 2—Administrative Rules

PROPOSED RESCISSION

16 CSR 30-2.040 Notification of Sick Leave. This rule established procedures for notification by departments to MOSERS for employees going off payroll because of sick leave.

PURPOSE: This proposed rescission is a result of this rule being reenacted by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The reenacted rule is located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The reenacted rule is also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: section 104.500, RSMo Supp. 1988. Original rule filed Dec. 18, 1975, effective Jan. 1, 1976. Amended: Filed Nov. 25, 1992, effective June 7, 1993. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement
System
Chapter 2—Administrative Rules

PROPOSED RESCISSION

16 CSR 30-2.050 Notification of Termination of Active Employment. This rule established procedures for notification by departments to MOSERS for employees going off payroll because of termination of active employment.

PURPOSE: This proposed rescission is a result of this rule being reenacted by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The reenacted rule is located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The reenacted rule is also available upon request by contacting the Missouri State

Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: section 104.500, RSMo Supp. 1988. Original rule filed Dec. 18, 1975, effective Jan. 1, 1976. Amended: Filed Nov. 25, 1992, effective June 7, 1993. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement System
Chapter 2—Administrative Rules
PROPOSED RESCISSION

16 CSR 30-2.070 Notification by Retired Member of Election or Appointment to Office. This rule established procedures for notification by retired member who is employed by a department.

PURPOSE: This proposed rescission is a result of rulemaking by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The new rules are located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The new rules are also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: sections 104.380 and 104.500, RSMo Supp. 1988. Original rule filed Dec. 18, 1975, effective Jan. 1, 1976. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement System
Chapter 2—Administrative Rules
PROPOSED RESCISSION

16 CSR 30-2.120 Confidentiality of Records. This rule established guidelines regarding the confidentiality of records.

PURPOSE: This proposed rescission is a result of this rule being reenacted by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The reenacted rule is located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The reenacted rule is also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: section 104.500.2, RSMo Supp. 1988. Emergency rule filed Sept. 14, 1982, effective Sept. 24, 1982, expired Jan. 12, 1983. Original rule filed Oct. 15, 1982, effective Jan. 13, 1983. Amended: Filed Nov. 25, 1992, effective June 7, 1993. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement System
Chapter 2—Administrative Rules
PROPOSED RESCISSION

16 CSR 30-2.130 Charges for Documents. This rule established guidelines regarding charges for documents.

PURPOSE: This proposed rescission is a result of this rule being reenacted by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The reenacted rule is located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The reenacted rule is also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: sections 104.480 and 104.500.2, RSMo 1986. Emergency rule filed Sept. 14, 1982, effective Sept. 24, 1982, expired Jan. 12, 1983. Original rule filed Oct. 15, 1982, effective Jan. 13, 1983. Amended: Filed June 15, 1983, effective Sept. 11, 1983. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO

65102. To be considered, comments must be received within thirty-one days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement System
Chapter 2—Administrative Rules
PROPOSED RESCISSION

16 CSR 30-2.140 Computation of Credit. This rule established guidelines regarding the computation of credit.

PURPOSE: This proposed rescission is a result of this rule being reenacted by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The reenacted rule is located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The reenacted rule is also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: section 104.500.2, RSMo Supp. 1988. Emergency rule filed Nov. 12, 1982, effective Nov. 22, 1982, expired March 12, 1983. Original rule filed Nov. 12, 1982, effective March 11, 1983. Amended: Filed Nov. 25, 1992, effective June 7, 1993. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement System
Chapter 2—Administrative Rules

PROPOSED RESCISSION

16 CSR 30-2.150 Verification of Service. This rule established guidelines regarding the verification of credit.

PURPOSE: This proposed rescission is a result of this rule being reenacted by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The reenacted rule is located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The reenacted rule is also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: section 104.500.2, RSMo Supp. 1988. Emergency rule filed Dec. 15, 1982, effective Dec. 25, 1982, expired April 24, 1983. Original rule filed Dec. 15, 1982, effective March 11, 1983. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement System
Chapter 2—Administrative Rules

PROPOSED RESCISSION

16 CSR 30-2.160 Use of Sick Leave and Annual Leave Before Beginning Disability. This rule established guidelines regarding the use of leave in relation to a disability.

PURPOSE: This proposed rescission is a result of this rule being reenacted by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The reenacted rule is located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The reenacted rule is also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: section 104.500.2, RSMo Supp. 1988. Emergency rule filed March 15, 1983, effective April 1, 1983, expired July 30, 1983. Original rule filed March 15, 1983, effective July 11, 1983. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement System
Chapter 2—Administrative Rules

PROPOSED RESCISSION

16 CSR 30-2.181 Application for Long-Term Disability Benefits. This rule established guidelines regarding the application for disability benefits.

PURPOSE: This proposed rescission is a result of this rule being reenacted by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The reenacted rule is located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The reenacted rule is also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: sections 104.010 and 104.500, RSMo 1994. Original rule filed Nov. 25, 1992, effective June 7, 1993. Amended: Filed Dec. 6, 1996, effective June 30, 1997. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement System
Chapter 2—Administrative Rules

PROPOSED RESCISSION

16 CSR 30-2.190 Medical Review of Disability Applications. This rule established guidelines regarding the application for disability retirement benefits.

PURPOSE: This proposed rescission is a result of this rule being reenacted by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The reenacted rule is located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The reenacted rule is also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: section 104.500.2, RSMo 1994. Emergency rule filed March 15, 1983, effective April 1, 1983, expired July 30, 1983. Original rule filed March 15, 1983, effective July 11, 1983. Amended: Filed Nov. 25, 1992, effective June 7, 1993. Amended: Filed Dec. 6, 1996, effective June 30, 1997. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State

Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement System
Chapter 2—Administrative Rules

PROPOSED RESCISSION

16 CSR 30-2.210 Disparity in Physicians' Opinions. This rule established guidelines regarding additional medical review for disability retirement benefits.

PURPOSE: This proposed rescission is a result of rulemaking by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The new rules are located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The new rules are also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: section 104.500, RSMo 1994. Emergency rule filed March 15, 1983, effective April 1, 1983, expired July 30, 1983. Original rule filed March 15, 1983, effective July 11, 1983. Amended: Filed Nov. 25, 1992, effective June 7, 1993. Amended: Filed Dec. 6, 1996, effective June 30, 1997. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement System
Chapter 2—Administrative Rules

PROPOSED RESCISSION

16 CSR 30-2.220 Workers' Compensation Offset/Disability Benefits. This rule established guidelines regarding offsets of disability benefits.

PURPOSE: This proposed rescission is a result of rulemaking by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The new rules are located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The new rules are also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: section 104.500, RSMo 1994. Emergency rule filed March 15, 1983, effective April 1, 1983, expired July 30, 1983. Original rule filed March 15, 1983, effective July 11, 1983. Amended: Filed Nov. 25, 1992, effective June 7, 1993. Amended: Filed Dec. 6, 1996, effective June 30, 1997. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement System
Chapter 2—Administrative Rules

PROPOSED RESCISSION

16 CSR 30-2.240 Disability Appeal Procedure. This rule established guidelines regarding appeal procedures for disability retirement benefits.

PURPOSE: This proposed rescission is a result of this rule being reenacted by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The reenacted rule is located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The reenacted rule is also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: section 104.500, RSMo 1994. Emergency rule filed March 15, 1983, effective April 1, 1983, expired July 30, 1983. Original rule filed March 15, 1983, effective July 11, 1983. Amended: Filed Nov. 25, 1992, effective June 7, 1993. Amended: Filed Aug. 4, 1993, effective March 10, 1994. Amended: Filed Dec. 6, 1996, effective June 30, 1997. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement System
Chapter 2—Administrative Rules

PROPOSED RESCISSION

16 CSR 30-2.241 Denial of Long-Term Disability Benefits. This rule established guidelines regarding appeal procedures for long-term disability benefits.

PURPOSE: This proposed rescission is a result of this rule being reenacted by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The reenacted rule is located at the following internet address <http://www.mosers.org/BoardRules.htm>. The reenacted rule is also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: sections 104.010, RSMo Supp. 1992 and 104.500, RSMo Supp. 1988. Original rule filed Nov. 25, 1992, effective June 7, 1993.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement System
Chapter 2—Administrative Rules

PROPOSED RESCISSION

16 CSR 30-2.242 State Employment Effect of Disability Benefits/Long-Term Disability Benefits. This rule established guidelines with regard to the effect of employment on disability benefits.

PURPOSE: This proposed rescission is a result of this rule being reenacted by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The reenacted rule is located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The reenacted rule is also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: sections 104.010, RSMo Supp. 1992 and 104.500, RSMo Supp. 1988. Original rule filed Nov. 25, 1992, effective June 7, 1993. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement System
Chapter 2—Administrative Rules

PROPOSED RESCISSION

16 CSR 30-2.250 Earning Capacity Rule. This rule established guidelines regarding the disability earnings capacity test for disability retirement benefits.

PURPOSE: This proposed rescission is a result of this rule being reenacted by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The reenacted rule is located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The reenacted rule is also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: section 104.500, RSMo 1994. Original rule filed April 24, 1986, effective Oct. 27, 1986. Amended: Filed Nov. 25, 1992, effective June 7, 1993. Amended: Filed Dec. 6, 1996, effective June 30, 1997. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement System
Chapter 2—Administrative Rules

PROPOSED RESCISSION

16 CSR 30-2.260 Cost-of-Living Allowance Based on Consumer Price Index. This rule established guidelines regarding the calculation of cost-of-living adjustments.

PURPOSE: This proposed rescission is a result of this rule being reenacted by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The reenacted rule is located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The reenacted rule is also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: section 104.500.2, RSMo 1986. Emergency rule filed March 15, 1983, effective April 1, 1983, expired July 30, 1983. Original rule filed March 15, 1983, effective July 11, 1983. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement System
Chapter 2—Administrative Rules

PROPOSED RESCISSION

16 CSR 30-2.270 Break-in-Service. This rule defined break-in-service.

PURPOSE: This proposed rescission is a result of this rule being reenacted by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The reenacted rule is located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The reenacted rule is also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: section 104.500.2, RSMo Supp. 1988. Emergency rule filed June 15, 1983, effective July 1, 1983, expired Oct. 29, 1983. Original rule filed June 15, 1983, effective Sept. 11, 1983. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within

thirty-one days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement System

Chapter 2—Administrative Rules

PROPOSED RESCISSION

16 CSR 30-2.280 Employee with More than One State Job. This rule established guidelines regarding salary and service credit for employees with more than one job.

PURPOSE: This proposed rescission is a result of this rule being reenacted by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The reenacted rule is located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The reenacted rule is also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: section 104.500.2, RSMo Supp. 1988. Emergency rule filed Aug. 15, 1983, effective Aug. 25, 1983, expired Dec. 23, 1983. Original rule filed Aug. 15, 1983, effective Nov. 11, 1983. Amended: Filed Nov. 25, 1992, effective June 7, 1993. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement System

Chapter 2—Administrative Rules

PROPOSED RESCISSION

16 CSR 30-2.285 Options In Lieu of Normal Annuity. This rule established guidelines regarding retirement options.

PURPOSE: This proposed rescission is a result of this rule being reenacted by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The reenacted rule is located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The reenacted rule is also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: section 104.515, RSMo Supp. 1992. Original rule filed Dec. 20, 1993, effective July 10, 1994. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement System

Chapter 2—Administrative Rules

PROPOSED RESCISSION

16 CSR 30-2.290 Appeal Procedure for Retirement Plan. This rule established guidelines regarding retirement plan appeals.

PURPOSE: This proposed rescission is a result of this rule being reenacted by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The reenacted rule is located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The reenacted rule is also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: section 104.500, RSMo Supp. 1988. Original rule filed April 3, 1985, effective Aug. 26, 1985. Amended: Filed Nov. 25, 1992, effective June 7, 1993. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement System

Chapter 2—Administrative Rules

PROPOSED RESCISSION

16 CSR 30-2.300 Recognition of Creditable Service for a Person Restored to Employment when a Dismissal is

Disapproved. This rule established guidelines regarding the grant of service for wrongfully dismissed persons.

PURPOSE: This proposed rescission is a result of this rule being reenacted by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. (1999). The reenacted rule is located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The reenacted rule is also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: section 104.500, RSMo Supp. 1988. Emergency rule filed March 25, 1987, effective April 14, 1987, expired Aug. 2, 1987. Original rule filed March 25, 1987, effective July 13, 1987. Amended: Filed Nov. 25, 1992, effective June 7, 1993. Amended: Filed Dec. 20, 1993, effective July 10, 1994. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement System
Chapter 2—Administrative Rules

PROPOSED RESCISSION

16 CSR 30-2.310 Optional Life Insurance Annual Automatic Update of Premiums. This rule established guidelines regarding update of premiums.

PURPOSE: This proposed rescission is a result of rulemaking by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The new rules are located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The new rules are also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: sections 104.010, RSMo Supp. 1992 and 104.500, RSMo Supp. 1988. Original rule filed Nov. 25, 1992, effective June 7, 1993. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State

Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement System
Chapter 2—Administrative Rules

PROPOSED RESCISSION

16 CSR 30-2.311 Refunds of Premiums for Optional Life Insurance. This rule established guidelines regarding premium refunds.

PURPOSE: This proposed rescission is a result of rulemaking by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The new rules are located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The new rules are also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: sections 104.010, RSMo Supp. 1992 and 104.500, RSMo Supp. 1988. Original rule filed Nov. 25, 1992, effective June 7, 1993. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement System
Chapter 2—Administrative Rules

PROPOSED RESCISSION

16 CSR 30-2.320 Former Employees on Layoff Status. This rule established guidelines regarding the continuation of certain benefits for laid off employees.

PURPOSE: This proposed rescission is a result of this rule being reenacted by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The reenacted rule is located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The reenacted rule is also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: sections 104.500.5 and 104.519.1, RSMo 1994. Original rule filed Jan. 30, 1995, effective July 30, 1995.

*Amended: Filed Dec. 16, 1996, effective June 30, 1997.
Rescinded: Filed March 2, 2000.*

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 16—RETIREMENT SYSTEMS
Division 30—Missouri State Employees' Retirement
System
Chapter 2—Administrative Rules

PROPOSED RESCISSION

16 CSR 30-2.330 Creditable Prior Service. This rule established guidelines regarding calculating creditable prior service for members of the general assembly.

PURPOSE: This proposed rescission is a result of this rule being reenacted by the Board of Trustees of the Missouri State Employees' Retirement System pursuant to their rulemaking authority under section 104.1063, RSMo Supp. 1999. The reenacted rule is located at the following internet address: <http://www.mosers.org/BoardRules.htm>. The reenacted rule is also available upon request by contacting the Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102.

AUTHORITY: section 104.500, RSMo 1994. Original rule filed Dec. 6, 1996, effective June 30, 1997. Rescinded: Filed March 2, 2000.

PUBLIC COST: This proposed rescission is estimated to cost the Missouri State Employees' Retirement System less than \$500 in the aggregate.

PRIVATE COST: This proposed rescission is estimated to cost private entities less than \$500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to this proposed rescission by mailing it to Jake McMahon, Chief Counsel, Missouri State Employees' Retirement System, P.O. Box 209, Jefferson City, MO 65102. To be considered, comments must be received within thirty-one days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order or rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-day period during which an agency shall file its Order of Rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the Proposed Rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 4—Wildlife Code: General Provisions**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-4.115 Special Regulations for Department Areas is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2000 (25 MoReg 259-260). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 6—Wildlife Code: Sport Fishing: Season, Methods, Limits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-6.405 General Provisions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2000 (25 MoReg 260-261). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 7—DEPARTMENT OF HIGHWAYS AND
TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 2—Traffic Regulation**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 304.200, RSMo Supp. 1999, the commission rescinds a rule as follows:

7 CSR 10-2.010 Overdimension and Overweight Permits is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on December 15, 1999 (24 MoReg 2940). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 2—Traffic Regulation**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 304.200, RSMo Supp. 1999, the commission adopts a rule as follows:

7 CSR 10-2.010 Overdimension and Overweight Permits is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on December 15, 1999 (24 MoReg 2940-2955). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The secretary to the Transportation Commission received two letters of comments on this proposed rule.

COMMENT: Missouri Manufactured Housing Association commented on section (4)(E)2. They oppose the proposed \$200 movement feasibility fee.

RESPONSE: This is not a change to the current regulations. This \$200 fee is only incurred when the height or width exceeds sixteen feet (16'). The number of overpasses being hit has increased, repair costs have increased and, with increased liability comes increased cost. There are numerous vertical clearances on Missouri highways that are less than sixteen feet (16') requiring an extensive route evaluation, often causing use of less than desirable routes for these dimensions. No change was made to this proposed rule as a result of this comment.

COMMENT: Missouri Manufactured Housing Association and WLSM, Inc. commented on section (9). They expressed concern and opposition to the curfew in the St. Louis and other metropolitan areas. The additional time restrictions will be burdensome, cutting the industry's available working hours by two full hours each day.

RESPONSE: Section (9)(E) currently does not allow travel in St. Louis City and County, and in St. Charles County on I-70 between the Missouri River Bridge and Route 61 junction between the hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. The proposed restriction extends the time by one-half hour in the a.m. and one hour in the p.m. (6:30 a.m. to 9:00 a.m.) and (3:30 p.m. to 6:30 p.m.) for safety and to reduce traffic congestion. The proposed time allowances are based on traffic volumes and number of lanes available. These time restrictions are also observed for lane closures by maintenance forces and contracted work for MoDOT. Westbound I-70 in St. Charles County is not restricted in the a.m. and eastbound is not restricted in the p.m. The proposed revisions are needed to reduce congestion and ensure the safety of the traveling public. No change was made to this proposed rule as a result of these comments.

COMMENT: Missouri Manufactured Housing Association opposed section (9)(G) dropping the speed limit ten (10) miles per hour less than posted. This will slow traffic even more, causing additional congestion. Transporters should be allowed to flow with traffic.

RESPONSE: Section (9)(G) of the current regulation limits speed to a maximum of fifty-five (55) miles per hour on all dual lane divided and fifty (50) miles per hour on all other highways. When crossing structures, speed is reduced to forty (40) miles per hour. Overdimension and/or overweight loads do not have the same stopping ability as other vehicles. The proposed speed allowance is less restrictive on rural interstate. No change was made to this proposed rule as a result of these comments.

Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 10—Contractor Performance Rating to
Determine Responsibility

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020, 227.030 and 227.100, RSMo 1994 and 226.130, RSMo Supp. 1999, the commission amends a rule as follows:

7 CSR 10-10.010 Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 1999, (24 MoReg 2956-2957). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 10—Contractor Performance Rating to
Determine Responsibility

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020, 227.030 and 227.100, RSMo 1994 and 226.130, RSMo Supp. 1999, the commission amends a rule as follows:

7 CSR 10-10.040 Contractor Performance Questionnaire Used in
Evaluating Contractor Performance is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 1999 (24 MoReg 2957). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 10—Contractor Performance Rating to
Determine Responsibility

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020, 227.030 and 227.100, RSMo 1994 and 226.130, RSMo Supp. 1999, the commission amends a rule as follows:

7 CSR 10-10.050 Procedure and Schedule for Completing the
Contractor Performance Questionnaire is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 1999 (24 MoReg 2957-2958). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 10—Contractor Performance Rating to
Determine Responsibility

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020, 227.030 and 227.100, RSMo 1994 and 226.130, RSMo Supp. 1999, the commission amends a rule as follows:

7 CSR 10-10.070 Procedure for Annual Rating of Contractors is
amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 1999 (24 MoReg 2958-2960). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 2—Air Quality Standards and Air Pollution
Control Rules Specific to the Kansas City Metropolitan
Area

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo Supp. 1999, the commission rescinds a rule as follows:

10 CSR 10-2.060 Restriction of Emission of Visible Air
Contaminants **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 15, 1999 (24 MoReg 2588). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 3—Air Quality Standards and Air Pollution
Control Rules Specific to the Outstate Missouri Area

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo Supp. 1999, the commission rescinds a rule as follows:

10 CSR 10-3.080 Restriction of Emission of Visible Air
Contaminants **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 15, 1999 (24 MoReg 2588-2589). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 4—Air Quality Standards and Air Pollution
Control Regulations for the Springfield-Greene County
Area

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo Supp. 1999, the commission rescinds a rule as follows:

10 CSR 10-4.060 Restriction of Emission of Visible Air
Contaminants **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 15, 1999 (24 MoReg 2589). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 5—Air Quality Standards and Air Pollution
Control Rules Specific to the St. Louis Metropolitan
Area

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo Supp. 1999, the commission rescinds a rule as follows:

10 CSR 10-5.090 Restriction of Emission of Visible Air
Contaminants **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 15, 1999 (24 MoReg 2589). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 10—DEPARTMENT OF
NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions,
Sampling and Reference Methods and Air Pollution
Control Regulations for the Entire State of Missouri

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo Supp. 1999, the commission amends a rule as follows:

10 CSR 10-6.020 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 1, 1999 (24 MoReg 2629-2630). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department received comments from the Environmental Protection Agency (EPA), the Regulatory Environmental Group for Missouri (REGFORM), and the Associated Industries of Missouri (AIM).

COMMENT: AIM expressed a concern that the definition of Hourly *De Minimis* may lead to a more restrictive regulatory interpretation in some unforeseen situation. REGFORM shared this concern, and added a concern that there is a general trend in air

pollution regulations away from annual limits to more restrictive hourly time frames. The purpose of the Construction Permit Streamlining Workgroup was to streamline and improve the permitting process. It might be that the revisions will lead to more paperwork requirements instead of fewer. REGFORM also suggested that the definition could be handled by policy outside of the regulation. REGFORM recommended that this definition be struck from the proposed rule.

RESPONSE AND EXPLANATION OF CHANGE: This definition was being added because the term Hourly *De Minimis* was used in the recent amendment to the permitting rule (10 CSR 10-6.060 Construction Permits Required). The permitting rule was amended to clearly define when an air quality analysis is to be performed. The Construction Permit Streamlining Workgroup identified this as a problem and recommended that a bright line be established such that an applicant would know whether or not their particular project would be reviewed for air quality. This bright line was established as the hourly *de minimis* emission rate. This helps to address the situation where the *De Minimis* emission rates are not protective because they are established on an annual basis even though the air quality standards are based on much shorter time frames. It also serves to eliminate the need for an air quality analysis for qualifying projects; those that have *De Minimis* emission rates on a short term (hourly) basis.

It was not the intention of this rulemaking to insert a new regulatory scheme based on hourly emissions. It was intended as a clear way to determine when a particular project would be subject to an air quality analysis as part of its review.

To avoid any confusion, however, the department agrees that defining this term is not necessary, and has dropped this definition (10 CSR 10-6.020(2)(H)8.). The term *De Minimis* is defined, and the term Hourly *De Minimis* is easily understood.

COMMENT: EPA commented that part (2)(N)2.A.(II) leaves a look back period to 1977 in some cases, and that is inconsistent with the rest of the rule which establishes a maximum look back period of five years. REGFORM also shared the concern that the language as proposed appeared to be in conflict with itself. EPA suggested that instead of trying to amend Missouri's definition of Net Emission Increase, that the state could adopt the federal definition.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees. The intention of this proposed change was to simply incorporate the federal definition of Net Emission Increase. Therefore, a change will be made to paragraph (2)(N)2. to simply reference the federal definition.

10 CSR 10-6.020 Definitions and Common Reference Tables

PUBLISHER'S NOTE: The publication of the full text of the material that the adopting agency has incorporated by reference in this rule would be unduly cumbersome or expensive. Therefore, the full text of that material will be made available to any interested person at both the the Office of the Secretary of State and the office of the adopting agency, pursuant to section 536.031.4 RSMo. Such material will be provided at the cost established by state law.

(2) Definitions.

(H) All terms beginning with "H."

1. Hazardous air pollutant—Any of the air pollutants listed in subsection (3)(C) of this rule.

2. HHV—A higher heating value as determined by 10 CSR 10-6.040(2) (ASTM Standard: D 2015-66, Part 19, 1972, *Standard Method for Determining Gross Heating Values of Solid Fuels*).

3. High efficiency particulate air filter—A HEPA filter found in respirators and vacuum systems capable of filtering three-tenths

(0.3) micron particles with at least ninety-nine and ninety-seven hundredths percent (99.97%) efficiency.

4. High terrain—Any area having an elevation nine hundred feet (900') or more above the base of the stack of the installation.

5. Homogeneous area—An area of surfacing material, thermal system insulation material or miscellaneous material that is uniform in color and texture.

6. Hot car—A vehicle which transfers hot coke from the oven to the area of quenching.

7. Hot well—The reservoir of a condensing unit receiving the warm condensate from the condenser.

(N) All terms beginning with "N."

1. Nearby—Nearby as used in the definition GEP stack height in subparagraph (2)(G)2.B. is defined for a specific structure or terrain feature—

A. For purposes of applying the formula provided in subparagraph (2)(G)3.B., nearby means that distance up to five (5) times the lesser of the height or the width dimension of a structure, but not greater than one-half (1/2) mile; and

B. For conducting fluid modeling or field study demonstrations under subparagraph (2)(G)3.C., nearby means not greater than one-half (1/2) mile, except that the portion of a terrain feature may be considered to be nearby which falls within a distance of up to ten (10) times the maximum height of the feature, not to exceed two (2) miles if feature achieves a height one-half (1/2) mile from the stack that is at least forty percent (40%) of the GEP stack height determined by the formula provided in subparagraph (2)(G)3.B. or twenty-six meters (26m), whichever is greater, as measured from the ground level elevation at the base of the stack. The height of the structure or terrain feature is measured from the ground level elevation at the base of the stack.

2. Net emissions increase—This term is defined in 40 CFR 51.166(b)(3) and is incorporated by reference.

3. New tepee burner—One not in existence as of September 18, 1970.

4. NIOSH—National Institute of Occupational Safety and Health.

5. Nonattainment area—The areas of Missouri identified as follows:

A. A moderate nonattainment area for ozone consists of Franklin, Jefferson, St. Charles and St. Louis Counties and the City of St. Louis; and

B. Nonattainment areas for lead include the city of Herculaneum in Jefferson County, and the Dent, Liberty and Arcadia townships in Iron County.

Title 10—DEPARTMENT OF NATURAL RESOURCES

Division 10—Air Conservation Commission

Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control Regulations for the Entire State of Missouri

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo Supp. 1999, the commission amends a rule as follows:

10 CSR 10-6.065 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 1, 1999 (24 MoReg 2630-2632). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Air Pollution Control Program (APCP) received three comments from different sources; Midwest Environmental Consultants, P.C. (MEC), the United States Environmental Protection Agency and the Water Pollution Control Department of the City of Independence.

COMMENT: Midwest Environmental Consultants, P.C. (MEC) submitted a comment concerning the amendment to paragraphs (1)(B)2. and (1)(B)3. MEC felt this language indicated that an installation is a basic state installation even when a decision is pending by the administrator on whether the installation is subject to section 111 or 112 of the Act.

RESPONSE AND EXPLANATION OF CHANGE: The Missouri Department of Natural Resources agrees that this language change could be unclear to the reader and has combined and rewritten old paragraphs (1)(B)2. and (1)(B)3. into new paragraph (1)(B)2. with subparagraphs to clarify its intent.

Due to the similarity of the following two comments, one response will follow both comments:

COMMENT: The Water Pollution Control Department with the City of Independence commented that they are in support of the proposed change.

COMMENT: The United States Environmental Protection Agency concurs with the revisions in the proposed amendment.

RESPONSE: These two comments establish support for this rule-making action while not recommending any changes to the proposed amendment. Therefore, no wording changes have been made to the proposed amendment as a result of these comments.

10 CSR 10-6.065 Operating Permits

(1) Definitions.

(B) Basic state installations are installations which meet any of the following criteria, but are not Part 70 installations:

1. Emit or have the potential to emit any air pollutant in an amount greater than the *de minimis* levels; or

2. Either of the following criteria, provided the U.S. EPA administrator has deferred a decision on whether the installation would be subject to Part 70:

A. Are subject to a standard, limitation or other requirement under section 111 of the Act, including area sources subject to a standard, limitation or other requirement under section 111 of the Act; or

B. Are subject to a standard or other requirement under section 112 of the Act, except that a source is not required to obtain a permit solely because it is subject to rules or requirements under section 112(r) of the Act, including area sources subject to a standard or other requirement under section 112 of the Act, except that an area source is not required to obtain a permit solely because it is subject to regulations or requirements under section 112(r) of the Act.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 45—Missouri Gaming Commission Chapter 9—Internal Control System

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under sections 313.004, 313.800 and 313.805, RSMo 1994, the commission amends a rule as follows:

11 CSR 45-9.030 Minimum Internal Control Standards is amended.

A notice of the proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 1999 (24 MoReg 2765-2767). No changes have been

made in the text of the proposed amendment, so it is not reprinted here. Changes have been made to Appendix A of this rule, so it has been refiled with the Office of the Secretary of State. Appendix A is available at both the office of the adopting agency and the Office of the Secretary of State. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Gaming Commission received two letters of comment on the proposed Minimum Internal Control Standards (MICS). Additionally, a public hearing was held at which those individuals/groups who/which had submitted written comments were provided the opportunity to express their agreement with or concern about the standards as written.

COMMENTS FROM THE MISSOURI RIVERBOAT GAMING ASSOCIATION (MRGA):

COMMENT: Each page of the MICS needs to be dated to note the latest revision date.

RESPONSE AND EXPLANATION OF CHANGE: The MICS Committee agreed with this suggestion; therefore, the effective date will be noted at the bottom of each page.

COMMENT: There needs to be a new section for Tips that would include Section A, Items 16 through 23 and Section D, Items 54 through 71. This would facilitate providing copies of the ICS (Internal Control System) to new employees.

RESPONSE: The MICS Committee agrees that a new section should be created segregating tips from the rest of the MICS. However, due to time constraints, this change will be implemented at a later date.

COMMENT: Section J: Admission & Ticketing, and Section P: \$500 Buy-In Limit, needs to have a requirement for valid government issued photo identification. Open boarding requires all patrons to have a permanent card and a patron must show a valid government issued photo identification to obtain an ALLTS card. This photo identification should be the same as required on page E-5 Item 23.

RESPONSE: This issue will be addressed upon the effective date of the rule allowing open boarding.

Section A—General & Administrative

COMMENT: A-10—It is not practical to have the employees sign an affidavit that they have read the ICS pertaining to their job function. It is not practical to have employees fully trained in the internal controls prior to performing their job. In depth training continues as they are working. Recommend this rule (MIC) be changed to "The employees are trained in the ICS prior to performing specific job functions and a copy of the ICS shall be available to all employees."

RESPONSE AND EXPLANATION OF CHANGE: The MICS Committee agreed with the suggestion and made appropriate changes to the Minimum Internal Control (MIC).

COMMENT: A-13—There is no dollar amount listed. Need to add wording "above \$1,000 or follows chain of command."

RESPONSE AND EXPLANATION OF CHANGE: The committee agreed some clarity was needed; therefore, wording was changed to make the requirement more understandable.

COMMENT: A-14—Does not provide the flexibility needed to change staffing. An alternative method could entail contacting a specific point for the needed information.

RESPONSE AND EXPLANATION OF CHANGE: The committee agreed and amended the MIC to require the name and number of the person on call be available through Security Dispatch.

COMMENT: A-18—Provides that security employees cannot accept gratuities or gifts in any form. We recommend removing this prohibition or placing a dollar limit on the gift or gratuity that may be accepted.

RESPONSE: The committee and Commission staff have considered this comment and have decided to make no change in the MIC.

COMMENT: A-20—Recommend this rule (MIC) be left as it was in the original MIC or that a dollar value limit be placed upon what can be received.

RESPONSE: The committee and commission staff considered this recommendation and agreed that a dollar value limit could be established if set forth in the licensee's internal controls and submitted for commission approval. The MIC change requires a log be maintained and submitted monthly to the Compliance Audit Manager.

COMMENT: A-22—This rule (MIC) is inconsistent with Section D, Item 26, regarding tip boxes being attached to a belt worn by an attendant and is contrary to existing Commission policy.

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee agreed with this concern, and the inconsistency was appropriately addressed.

COMMENT: A-23—Request for clarification; feel present wording is subject to several interpretations.

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee expanded upon the issue covered by this MIC so the text would not give rise to misinterpretation.

Section B—Sensitive Key Control

COMMENT: B-14—Change verbiage from “boat supervisor” to “agent” so that notification of any commission agent would be allowed.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees the requirement to contact the boat supervisor is overly restrictive; therefore, the MIC was amended replacing the word “supervisor” with the words “agent on duty.”

COMMENT: B-15 & B-16—Request clarification/definition of what constitutes Critical Sensitive Keys and Required Sensitive Keys. Recommend the two classes of keys be combined as Required Sensitive Keys.

RESPONSE: The committee, after consideration, determined no change should be made to the MIC.

COMMENT: B-15g—The EGD key is listed as a Critical Sensitive Key. Should this be the EPROM key?

RESPONSE AND EXPLANATION OF CHANGE: The MIC was amended further clarifying the key to be considered as a Critical Sensitive Key.

Section D—Live Games (Tables)

COMMENT: D-7a—Suggest this requirement be eliminated or that clarification be made as to what constitutes appropriate “documentation”.

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee adopted wording which clarifies the requirement posed by this MIC.

COMMENT: D-32—For purposes of determining a credit is necessary, the MIC places this responsibility on the floor supervisor or pit supervisor. It is recommended “or equivalent” be added.

RESPONSE: The MICS committee and commission staff have considered this recommendation and have decided to make no change in the MIC.

COMMENT: D-46—This rule (MIC) states the card and dice storage area shall be used only for storing cards, dice and table layouts. We would like to include “and any other items approved by the MGC Boat Sergeant.”

RESPONSE: The MICS committee and commission staff have considered this recommendation and have decided to make no change in the MIC.

COMMENT: D-56—The MRGA recommends this MIC be revised to allow video/slot attendants to deposit tips into the tip box if surveillance is notified and the tip is held in plain view so that its placement in the tip box may be monitored.

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee and commission staff, after due consideration, made wording changes to accommodate MRGA's concerns.

COMMENT: D-60—Provisions must be provided for emergency drops or other unforeseen circumstances.

RESPONSE AND EXPLANATION OF CHANGE: MIC D-71 addresses the matter of emergency drops. The MICS committee did feel the issue of other emergency situations was not adequately covered, so included wording which addressed the comment.

COMMENT: D-69—Poker dealers and slot floorpersons need to be added to those eligible to receive tips.

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee felt the term “dealer” addressed all dealers regardless of the game worked. MRGA, however, felt poker dealers to be a unique group that needs to be specifically included; therefore, the MIC was amended to add “poker dealers.” Slot floorpersons, however, were not included, as the job descriptions for some facilities indicate this classification to be supervisory in nature, and, therefore, ineligible to receive tips.

COMMENT: D-73—MRGA felt the requirement of one pit manager being on duty within a pit is too restrictive and requested the rule (MIC) be changed to require one pit manager to be on duty, period.

RESPONSE: The MICS committee and commission considered this comment and determined the MIC as written provided adequate parameters within which the casinos could determine staffing levels.

COMMENT: D-75—MRGA requested clarification on whether or not the rule (MIC) covered wallets for men.

RESPONSE: Clarification was provided; the MICS committee, however, felt the MIC to be adequate and decided to make no change.

Section E—Electronic Gaming Devices

COMMENT: E-2—Request automated records be permissible as documentation of access to electronic gaming devices.

RESPONSE: The MICS committee considered this comment and has decided to make no change in the MIC.

COMMENT: E-3—MRGA felt the rule (MIC) to be overly restrictive and requested several changes be made: 1) allow token for currency exchange rather than just currency for currency; 2) eliminate the imprest bank requirement; and 3) allow Level II employees other than just slot technicians to perform the exchanges.

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee considered the comment and determined the MIC to be proper as written; however, amendment was made to allow licensees to include other positions in the performance of this function through internal controls submitted to the commission for approval.

COMMENT: E-7—MRGA felt this rule (MIC) to be unreasonable when measured against the industry standard of using “average payout percentage” in advertising.

RESPONSE: The MICS committee considered this comment, discussed it with legal counsel, and determined the variables and lack of uniformity involved precluded changes being made at this time; therefore, no changes were made to the MIC.

COMMENT: E-11—Recommended the rule (MIC) be changed to require surveillance only on hopper fills greater than \$1200.

RESPONSE: The MICS committee considered this comment and determined no change should be made to the MIC.

COMMENT: E-13, 14 & 15—Recommend these MICs be amended to indicate they deal with hopper fills coming from the cage.

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee deemed clarification to be needed and amended the MIC appropriately.

COMMENT: E-14—MRGA requested this MIC be made more specific as to exactly what the witness requirements are for hopper fills.

RESPONSE AND EXPLANATION OF CHANGE: The committee felt the grammatical structure of the MIC to be confusing and amended the MIC to provide more specificity.

COMMENT: E-23—Recommended the list of acceptable identification set forth by this MIC be used in all other sections of the Minimum Internal Control Standards where photo identification is required.

RESPONSE: The MICS committee considered this comment and determined the appropriate time to address this issue to be upon the effective date of the rule allowing open boarding.

COMMENT: E-27 & G-21—Request elimination of the requirement that: 1) a sweep schedule be filed with the MGC boat agent, and 2) a supervisor be required to sign the sweep log.

RESPONSE AND EXPLANATION OF CHANGE: The committee, upon consideration of this comment, determined: 1) a supervisor should be accountable for the sweep being conducted and, therefore, should be required to sign the sweep log; and 2) the requirement for filing a sweep schedule was unnecessary. The MIC was amended accordingly.

COMMENT: E-48—MGRA recommended the word “contain” be changed to “stored” reasoning that tokens will be found in machines when repairing or cleaning.

RESPONSE: The committee considered this comment and decided to make no change in the MIC.

COMMENT: E-49—Recommended the manner in which the listed items were to be secured be specified.

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee amended the MIC by specifying that access to the listed items should be limited by securing the room in which they were contained.

COMMENT: E-53—The MRGA felt having to specify capping procedures provided no flexibility for level of business activity or guest convenience.

RESPONSE AND EXPLANATION OF CHANGE: The committee considered this comment and determined capping procedures to be a matter for company policy and not a matter that should be addressed by a MIC; therefore, this item was deleted.

Section F—Card Games

COMMENT: F-3—Recommended transfers between the main card room bank (or a casino cage if a main card room bank is not

used) and the table banks be verified by the card room dealer and either a security officer or poker room supervisor performing the transfer.

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee amended the MIC by allowing transfers between the main card room bank and the table banks be verified by the card room dealer and the supervisor authorizing the transfer. Transfers between tables and the casino cage, however, must be performed and verified by security personnel.

Section G—Live Games & EGD Drops and Counts

COMMENT: G-10b—The MRGA requested this MIC be specific regarding the ability to have no drop days for EGDs and bill validators.

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee agreed to make the MIC more specific, and did so by inserting wording that requires a 100% drop of all tables, EGDs and bill validators each week at the end of Tuesday’s gaming day.

COMMENT: G-11a—Operators requested the hardcount employee to security ratio be increased from 2:1 to 3:1.

RESPONSE AND EXPLANATION OF CHANGE: The committee and commission staff considered this comment and agreed a 3:1 ratio would be satisfactory; the MIC was amended accordingly.

COMMENT: G-11b—Operators felt the wording “sufficient number of security officers” to be unclear.

RESPONSE: The committee considered this comment and decided to make no change in the MICS.

COMMENT: G-12—The MRGA felt only those table game drop devices and bill validator boxes containing unaccounted for fund should require locked storage carts and security escort.

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee considered this comment and amended the MIC to require locked storage carts and security escorts for table game drop devices and bill validator boxes containing any funds.

COMMENT: G-21a—Requested required maintenance of an EGD sweep log be deleted.

RESPONSE: Previously addressed in response to comment E-27.

COMMENT: G-21b—Requested requirement that sweep schedule be provided boat agent be deleted or amended.

RESPONSE: Previously addressed in response to comment E-27.

COMMENT: G-23k—Recommended a provision be added allowing approval of additional equipment by the MGC boat supervisor/agent until revisions to the ICS could be made.

RESPONSE: The committee considered the comment and decided no change should be made.

COMMENT: G-27—MRGA maintained the MIC provided no flexibility.

RESPONSE: The MICS committee considered the MRGA’s concern and decided to make no change in the MIC.

COMMENT: G-30—The MRGA felt the requirement that the count cease and everyone exit the room during normal work breaks or in emergencies to be too restrictive; a minimum number of employees should be able to continue the count. It was further recommended vendors be allowed access to the soft count room while the count was in progress.

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee agreed that with a minimum number of employees in the count room, the count should be allowed to proceed; therefore, the MIC was amended to require everyone to exit the count room

if fewer than three count team members are present in the room. The committee did not believe equipment failure in the soft count room to be an emergency and decided no further change to the MIC should be made.

COMMENT: G-36—The key to the weigh scale calibration module is listed as a critical sensitive key in MIC B-15p which would then make the key to the box in Accounting a critical sensitive key requiring dual control. This is unreasonable for Accounting maintained keys.

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee agrees with the concern expressed in the comment and deleted MIC B-15p. MIC G-36 then required no change.

COMMENT: G-49—MRGA felt listing or printing the name of count team members not present for the final count report served no purpose.

RESPONSE: The committee considered the comment and decided no change should be made to the MIC.

COMMENT: G-58c—All casinos do not drop original and first copies as required by the MIC.

RESPONSE AND EXPLANATION OF CHANGE: The MIC committee considered the comment and determined the MIC should be amended to require the original and/or a copy of fill/credit slips be matched or otherwise reconciled.

COMMENT: G-69 & R-6—Feel the requirement of the last six digits of the licensee's MGC license number be included with signatures is burdensome and recommended the leading zeros on a license number be omitted.

RESPONSE: Requiring the last six digits of a licensee's MGC license number establishes uniformity throughout the state and leaves no room for misinterpretation; therefore, the MICS committee felt no change should be made to the MIC.

Section H—Casino Cashiering

COMMENT: H-5—MRGA felt the MIC needed clarification because, as presently worded, change carts could not be used to move chips from soft count to the main bank.

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee considered the comment and determined the MIC should be amended to allow the use of change carts outside the gaming area provided the area in which used was not accessible to the public.

COMMENT: H-9—Recommended the variance requiring notification of a MGC agent be "greater than \$1,000" to allow for the new \$1,000 hopper fill bags, and that notification occur after 24 hours to allow time for the shortage to be found.

RESPONSE AND EXPLANATION OF CHANGE: The committee felt the wording change to "greater than \$1,000" to be reasonable, but felt no other change was justified. The MIC was amended accordingly.

COMMENT: H-15 & H-22—Requested the MIC be amended to allow "a supervisor" to initial corrections rather than "the employee's supervisor."

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee considered the comment and amended the MIC as suggested.

COMMENT: H-38—Those licensees with more than one facility felt a provision needed to be made for their "other" facility.

RESPONSE: The committee considered the comment and determined no change needed to be made in the MIC.

COMMENT: H-39a—The MRGA stated they did not understand the reason for this particular requirement.

RESPONSE: The committee considered the comment and decided to make no change in the MIC.

COMMENT: H-39b—Operators felt there to be no need for a surveillance photograph if they were satisfied with the identity of the individual making the safekeeping withdrawal.

RESPONSE: The MICS committee feels safekeeping withdrawals made without presenting picture identification require a surveillance photograph be taken in order to protect properties and facilitate investigations; therefore, no change to the MIC was deemed justified.

COMMENT: H-44—MRGA requested the MIC be amended to allow d.b.a. checks be accepted if procedures are in place to verify that the individual is a primary signor and the use of the checks is for personal uses rather than only when the individual presenting the check is named on the check.

RESPONSE: The committee considered this comment and determined no change should be made to the MIC.

COMMENT: H-44g—MRGA requested they be allowed to redeem in-house casino or company-wide checks for cash and/or chips and tokens rather than just cash.

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee considered this comment and determined the request should be approved provided the \$500 loss limit was not violated. The MIC was amended accordingly.

COMMENT: H-45—The MRGA requested this MIC be deleted.

RESPONSE: The MICS committee considered this comment and determined no change should be made.

COMMENT: H-51—Operators requested the requirement they keep a returned check log for those checks sent to outside check guarantee services be deleted.

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee considered this comment and amended the MIC by requiring operators who contract with a commercial check guarantee service to include in their contracts the provision that the commercial service provide the MGC a return check log upon request. This requirement is designed to facilitate criminal investigations.

COMMENT: H-54—MRGA requested they be allowed to "exchange up" currency for their customers rather than just for equal or lower denomination.

RESPONSE AND EXPLANATION OF CHANGE: The committee considered this comment and determined such exchanges should be approved, but a \$500 limit should be included in the MIC.

COMMENT: H-64d—Redemption of promotional coupons was felt to be a customer service issue and should be at the discretion of the company, regardless of expiration date.

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee considered this comment and determined part d. of the MIC should be deleted in its entirety.

COMMENT: H-64e & H-65—MRGA felt the prohibition against redemption of promotional coupons at table games should be deleted.

RESPONSE: The MICS committee considered this comment and determined no change to the MIC was warranted.

Section I—Casino Accounting

COMMENT: I-5—Recommend the requirement that signature authorization lists be updated upon any addition or deletion of employees and forwarded to the MGC financial manager be changed to allow a monthly update be forwarded which would include the effective date of any changes.

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee considered this comment and felt the recommended change was justified. The MIC was amended accordingly.

COMMENT: I-16—MRGA felt a variance of 2% or more by machine should be changed to 2% by denomination.

RESPONSE: The committee felt such a change would not isolate machines having a variance of greater than 2% and, therefore, felt no change should be made to the MIC.

Section J—Admissions & Ticketing

COMMENT: J-3 & J-4—Recommend MIC J-4 be deleted, as it duplicates what is required in J-3.

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee considered this comment and agreed; therefore MIC J-4 was deleted.

COMMENT: J-13—MRGA recommended elimination of verbiage allowing cashiers to issue script and changing the verbiage concerning the invalidation of loss limit cards.

RESPONSE: This MRGA comment was based upon open boarding procedures, the rules for which have neither been finalized nor filed; therefore, the recommendations could not be considered at this time.

COMMENT: J-14—MRGA recommended adding Slot Supervisors and Table Game Supervisors to those eligible to issue stayover passes and manual script.

RESPONSE AND EXPLANATION OF CHANGE: The committee considered this comment and agreed to add the requested personnel. The MIC was amended accordingly.

COMMENT: J-19—MRGA requested signatures continue to be used for permanent cardholders.

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee considered the comment and amended the MIC accordingly.

Section L—Internal Audit

COMMENT: L-3a2, L-3a3, L-3a5, L-3a11 & L-3b5—MRGA recommends sample sizes and days be left to the discretion of the auditors rather than specified by the MICS.

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee considered MRGA's comment and agreed some discretionary latitude could be allowed; some specific requirements such as weekend and 100% drop days were retained or added, however, to insure audits included 100% drop and 24-hour gaming days. The MICS were amended accordingly.

COMMENT: L-3b7—Recommend the semi-annual hopper load test be changed to an annual test.

RESPONSE AND EXPLANATION OF CHANGE: The committee considered the comment and agreed an annual test to be sufficient. The MIC was amended to reflect the change.

COMMENT: L-3b8—The MRGA recommended the required inspection be conducted annually instead of semi-annually.

RESPONSE: The MICS committee considered the comment and determined no change should be made.

COMMENT: L-3b16—Recommendation that the required review be those EGDs installed moved or converted during the scope of the audit rather than 3% of each denomination.

RESPONSE AND EXPLANATION OF CHANGE: The committee considered the comment and agreed with the recommendation. The MIC was amended accordingly.

COMMENT: L-3d1d—The MRGA felt the wording was subject to varying interpretations and should be more definitive as to expectations.

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee rewrote the MIC to remove the likelihood of misinterpretation.

Section M—Surveillance

COMMENT: M-3—The MRGA requested the requirement that the surveillance manager report directly to the Board of Directors be changed and that daily surveillance operations be the responsibility of the property General Manager.

RESPONSE: The MICS committee considered this comment and decided no change needed to be made.

COMMENT: M-4—Recommend the requirement that the interior and entrance of the surveillance room not be visible to the "public" be changed to "general public." It was also recommended the General Manager be allowed access to the surveillance room after notifying MGC.

RESPONSE AND EXPLANATION OF CHANGE: The committee considered the request and agreed to insert the word "general"; however, no other changes were deemed warranted.

COMMENT: M-10—The MRGA requested incident logs be forwarded to the MGC weekly rather than daily.

RESPONSE: The MICS committee considered the comment, but felt no change was warranted.

COMMENT: M-15e(7)(a) & M-16b—Recommended elimination or clarification of the verbiage "appears unusual and unusual activity".

RESPONSE AND EXPLANATION OF CHANGE: The committee considered the comment and changed the word "unusual" as used in the MIC to "abnormal."

COMMENT: M-15e(3)(a)—MRGA states the identity of patrons is not always practical to find out and seeks clarification regarding whether the "John/Jane Doe" will be acceptable.

RESPONSE: The MICS committee considered this comment, but feels that the identity of a patron or employee being detained or questioned by security should be known and entered into the activity log. Therefore, no change to the MIC was deemed warranted.

Section N—Security

COMMENT: N-4i—The MRGA expressed concern that detailed procedures for handling intoxicated persons, including eviction procedures could not be established, as one set of procedures will not work in every situation.

RESPONSE: The committee considered the comment and determined no change was needed in the MIC.

COMMENT: N-7—Recommended the exceptions to required security escorts include transfers between cages and slot booths performed in locked containers.

RESPONSE: The MICS committee considered this request and decided to make no change to the MIC.

Section P—\$500 Buy-In Limit

COMMENT: P-2, P-9, P-16 & P-24—"Players cards" have the patron's name clearly and permanently embossed thereon; therefore, only a signature is required. The MICs should be amended to reflect the necessity of a signature rather than a printed name.

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee agreed and the affected MICs were amended accordingly.

COMMENT: P-2, P-10, P-17 & P-25—"Players cards" are permanently issued to patrons; therefore, they are not confiscated, but are properly activated and returned to the patron. The MICS need to reflect this procedure is permissible.

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee agreed and the affected MICs were amended accordingly.

COMMENT: P-5, P-12 & P-19—The MRGA recommends references to excursion time in these MICs be eliminated.

RESPONSE: The committee considered the comment, but felt no change was warranted.

Section Q—Disassociated Persons

COMMENT: Q-5d—The MRGA recommended this MIC be eliminated because they felt there were other controls in place which makes those required by this MIC to be ineffective and time consuming.

RESPONSE AND EXPLANATION OF CHANGE: The MICS committee considered the comment, but did not agree it should be eliminated. The MIC, however, was amended removing areas where identification of disassociated persons might be impractical.

COMMENT: Q-7—The MRGA recommended several changes they wished made.

RESPONSE: The MICS committee considered the recommendations, but felt the MIC, as written, adequately established minimum requirements. Each property's ICS can address issues where such controls are felt necessary. No change to the MIC was deemed warranted.

COMMENTS FROM ARGOSY CASINO

Ron D. Arn, Compliance Administration Manager for Argosy, submitted a letter stating Argosy was in agreement with the recommendations and suggestions made by the Missouri Riverboat Gaming Association in their response to the proposed revisions of the MICS. Additionally, Argosy addressed ten items previously covered by the MRGA which Argosy felt had the greatest impact on their operation.

The MICS committee considered Argosy's comments during the consideration of the comments presented by the MRGA. The responses are the same as those presented previously; therefore, only Argosy's comments are presented below.

COMMENT: Each page of the MICS should be dated.

COMMENT: There needs to be a separate section within the MICS for Tips.

COMMENT: Use the requirement as stated in MIC E-23 as the official and universal requirement for valid photo identification throughout the MICS.

Section E—Electronic Gaming Devices

COMMENT: E-2—Request automated records be permissible as documentation of access to electronic gaming devices. Our position is that the electronic monitoring and tracking is much more accurate and reliable than using the manual machine entry access

logs. The manual system is subject to human error. This is a step backwards rather than an improvement of the MICS. The MGC's prior approval could be required to ensure that the system maintains the necessary information and history with reports that provide the needed information.

Section G—Live Games & EGD Drops and Counts

COMMENT: G-10b—Argosy recommends the following wording be used. "At a minimum each licensee is required to make a 100% drop of all EGD's and bill validators at the end of each gaming week and at month end."

COMMENT: G-11a—The 2:1 ratio is a too stringent requirement when the casino is closed. The drops are watched and videotaped by surveillance. Adequate security would be at least a 3:1 ratio when the casino is closed. The 2:1 ratio would apply only to drops when the casino is open.

COMMENT: G-30—This section needs to be changed to allow for the count to continue during normal work breaks as long as three team members are present in the room. This will not adversely affect the security of the room or its contents.

Section H—Casino Cashiering

COMMENT: H-54—In the environment of the \$500 loss limit this requirement is unnecessary and extremely customer unfriendly. At the very minimum there should be an exception for transactions of \$100 or less.

Section I—Casino Accounting

COMMENT: I-5—Argosy recommends that the June 1999 version of the MICS be used.

5. The authorization lists shall be updated on a monthly basis to reflect the changes in personnel, (i.e., promotions, transfers, terminations, etc.). The date the change became effective shall be recorded on the lists.

a. The authorization list for the tax remittance system shall be updated monthly and forwarded to the MGC financial manager.

Section Q—Disassociated Persons

COMMENT: Q-5d—This item needs to be deleted as it would require the checking of photo identification at each location listed resulting in lines at the turnstiles and major customer inconveniences throughout the casino.

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.065, RSMo Supp. 1999, the commission amends a rule as follows:

11 CSR 45-30.180 Inventory and Ownership of Bingo
Equipment is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 1999 (24 MoReg 2768). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.065, RSMo Supp. 1999, the commission amends a rule as follows:

11 CSR 45-30.190 Rules of Play is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 1999 (24 MoReg 2768). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.065, RSMo Supp. 1999, the commission amends a rule as follows:

11 CSR 45-30.210 Reports is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 1999 (24 MoReg 2768-2769). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.065, RSMo Supp. 1999, the commission amends a rule as follows:

11 CSR 45-30.220 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 1999 (24 MoReg 2769). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Gaming Commission received five comments on this proposed amendment.

COMMENT: Alan Sanning, Marine Corp League, stated that he agreed with the amendments to the rule.

RESPONSE: The Missouri Gaming Commission has considered this comment and has decided to make no change in the rule.

COMMENT: Clay Wester, Heart of the Ozarks Sertoma Club, stated that he agreed with the amendments to the rule.

RESPONSE: The Missouri Gaming Commission has considered this comment and has decided to make no change in the rule.

COMMENT: Bob Roby, American Legion Post 131, stated that he agrees with the amendments but would like to change the requirement of having to deposit the receipts the next day which appears in section (2).

RESPONSE: The Missouri Gaming Commission has considered this comment and has decided to make no change in the rule.

COMMENT: American Legion Post 39 stated that minor changes need to be made to section (2) and (3) but appears to agree with the amendments.

RESPONSE: The Missouri Gaming Commission has considered this comment and has decided to make no changes in the rule.

COMMENT: Jim Frazier, American Legion Post 499, stated that he disagrees with the amendments. Their organization wishes to continue to use the debit system they currently use. He believes their system is trackable to the bank statement.

RESPONSE AND EXPLANATION OF CHANGE: The Missouri Gaming Commission agreed with this suggestion and implemented it by adding a new sentence to section (2).

11 CSR 45-30.220 Bank Account

(2) If an organization uses starting cash, a check must be written to a financial institution, retail establishment or to a charitable organization, to obtain the starting cash, and the starting cash must be redeposited into the bingo checking account no later than the next business day. An organization may use a debit transaction instead of a check to obtain starting cash from their bingo checking account; however, each debit transaction must be reported with other disbursements from the bingo checking account on the quarterly report as required in regulation 11 CSR 45-30.210.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.065, RSMo Supp. 1999, the commission amends a rule as follows:

11 CSR 45-30.280 Net Receipts from Bingo is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 1999 (24 MoReg 2769). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.065, RSMo Supp. 1999, the commission amends a rule as follows:

11 CSR 45-30.370 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 1999 (24 MoReg 2769-2770). The section with the change is reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Gaming Commission received 12 comments on this proposed amendment.

COMMENT: Alan Sanning, Marine Corp League, opposes increasing the prize amount each occasion required in sections (1), (3) and (4) due to IRS reporting requirements but agrees with the changes to the other sections.

RESPONSE: The Missouri Gaming Commission has considered this comment and has decided to make no change in the rule.

COMMENT: Peter Schmidt, Rolla Lions, stated that he disagrees with the prize amount having to increase due to the IRS filing requirement.

RESPONSE: The Missouri Gaming Commission has considered this comment and has decided to make no change in the rule.

COMMENT: Clay Wester, Heart of the Ozarks Sertoma, disagrees with more than one progressive game and the \$1,000 start point.

RESPONSE: The Missouri Gaming Commission has considered this comment and has decided to make no change in the rule.

COMMENT: Ruberick McBrealty, American Legion Post 240, states that he disagrees with the amendment. He says that the whole change places too much burden on the small organizations.

RESPONSE: The Missouri Gaming Commission has considered this comment and has decided to make no change in the rule.

COMMENT: Virgil Lawson, St. Louis, disagrees with more than one progressive game. He states that he is afraid this will cause prices to increase because bingo is entertainment for the older generation on fixed incomes.

RESPONSE: The Missouri Gaming Commission disagrees with the price statement in this comment, as the players are not required to purchase any bingo cards they do not wish to play and minimum card purchases by game operators are prohibited, pursuant to section 313.040(6), RSMo.

COMMENT: Bob Roby, American Legion Post 131, states that he disagrees with the odds increasing. He believes that should remain the organization's discretion.

RESPONSE AND EXPLANATION OF CHANGE: The Missouri Gaming Commission has considered this comment and has addressed the odds to win issue in the rule.

COMMENT: Mrs. Marie Carter, Our Lady of Fatima School, disagrees with the allowance to conduct more than one progressive game because it causes unfair competition to get the players. She also disagrees with the \$1,000 starting point and the changes to section (5).

RESPONSE: The Missouri Gaming Commission has considered this comment and has decided to make no change in the rule.

COMMENT: Irvin B. Sprucebank, American Legion Post 331, states that he disagrees with having more than one progressive game. He also disagrees with the \$1,000 starting point.

RESPONSE: The Missouri Gaming Commission has considered this comment and has decided to make no change in the rule.

COMMENT: Lester Barker, VFW Cabool, agrees with the rule changes but thinks that sections (5) and (7) need to be clarified.

RESPONSE: The Missouri Gaming Commission has considered this comment and has decided to make no change in the rule.

COMMENT: Al Brown, Congregational Kol Am, states that he agrees with increasing the odds to win but thinks that everyone should have to run their progressive game exactly the same. He disagrees with having more than one progressive game.

RESPONSE: The Missouri Gaming Commission has considered this comment and has decided to make no change in the rule.

COMMENT: Ken Koller, Assumption Parish, disagrees with the changes made to section (1). He feels that this should be the organization's discretion regarding increasing the odds to win and the prize amount. He believes that without a profitable progressive game, bingo may fold. He states that the changes to section (5) cause too much burden on the organization.

RESPONSE: The Missouri Gaming Commission has considered this comment and has decided to make no change in the rule.

COMMENT: Henry Rauber (officer) and 15 bingo workers from the American Legion Post 237 disagree with the changes to section (1). They suggest that either the number of balls to win or the prize amount should have to increase. They also disagree with section (5) in that it is already being tracked and do not want any more reports to fill out.

RESPONSE AND EXPLANATION OF CHANGE: The Missouri Gaming Commission has considered this comment and has decided to make the following changes in the rule.

11 CSR 45-30.370 Progressive Games

(1) A progressive game is one in which the established prize amount must be increased from one occasion to the next scheduled occasion if no player completes the required winning pattern within the specified number of bingo balls drawn as posted by the game operator. If after ten (10) occasions the progressive prize has not been awarded, the game operator must increase the number of balls drawn to complete the winning pattern each occasion until the progressive prize is awarded.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 60—Division of Highway Safety Chapter 1—Motorcycle Safety Education Program

ORDER OF RULEMAKING

By the authority vested in the Department of Public Safety under section 302.134, RSMo Supp. 1999, the department amends a rule as follows:

11 CSR 60-1.070 Motorcycle Requirements is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2000 (25 MoReg 18). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 12—DEPARTMENT OF REVENUE Division 10—Director of Revenue Chapter 11—County Sales Tax

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 66.620, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-11.220 Requirements for Filing the Incorporation of a New Political Subdivision (St. Louis County) **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on December 15, 1999 (24 MoReg 2976). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 26—Dealer Licensure**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 301.553, 301.559 and 301.560, RSMo Supp. 1999, the director adopts a rule as follows:

12 CSR 10-26.020 License Requirements for Auctions, Dealers and Manufacturers **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on December 1, 1999 (24 MoReg 2779–2780). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one letter of comment on this proposed rule.

COMMENT: The Missouri Automobile Dealers Association (MADA) provided a comment to this rule regarding the language that requires a dealer's license to be immediately cancelled/revoked upon cancellation/revocation of the dealer's surety bond. MADA feels this action is too strong and places an unnecessary burden upon the dealer in certain situations. MADA proposes the dealer be granted a stay of cancellation until the dealer is given the opportunity for an appeal or hearing. They believe the proposed rule may violate the dealer's rights to due process.

RESPONSE: The department disagrees with this comment. The purpose of the surety bond is to protect consumers who purchase a vehicle against any violations of law the dealer may commit. To allow a dealer to sell vehicles without such a bond during a stay period would remove this protection. The department requires all bonding companies to provide at least 30 days notice to the department prior to canceling or revoking a bond. Upon receipt of such notice, the department automatically notifies the dealer of the status of the bond and informs the dealer that a new bond must be submitted prior to the date of bond cancellation/revocation to avoid cancellation of the dealer's license. This gives the dealer ample opportunity to correct the problem. The proposed rule allows the department to cancel the dealer's license if the dealer fails to submit a new bond by the date specified. The dealer would also be provided a right to a hearing, but without a stay. No change was made to the proposed rule as a result of this comment.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 26—Dealer Licensure**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 301.553, 301.560 and 301.562, RSMo Supp. 1999, the director adopts a rule as follows:

12 CSR 10-26.060 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on December 1, 1999 (24 MoReg 2789–2790). The section of the proposed rule with change is reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one letter of comment on this proposed rule.

COMMENT: The Missouri Automobile Dealers Association (MADA) provided a comment to this rule regarding the language that establishes a limit of 90 days after the death or incapacitation of a dealer in which to settle the affairs of the licensee or to apply for a new license in the name of the successor. MADA doesn't feel this is ample time and requests the 90 days be waived or extended to six months. MADA further proposes that the dealership in question have 15 days to report such changes or to apply for a new license in the name of the successor.

RESPONSE AND EXPLANATION OF CHANGE: The department has revised the language in the proposed rule from 90 days to 180 days after death or incapacitation, or until the license expires, whichever comes first, for the heirs or estate of the licensee or the legal guardian to settle the affairs of the licensee or to apply for a new license in the name of the successor.

12 CSR 10-26.060 Dealer License Plates/Certificates of Number

(6) Whenever a licensee is no longer entitled to a license due to cessation of business, sale of the business, abandonment of the business, suspension or revocation of the license, or other circumstance, the dealer license plates/certificates of number, business license, required monthly sales reports and any unissued permits, if applicable, shall be surrendered to the department immediately, but in no event later than ten (10) days following such circumstance. If a licensee dies or becomes incapacitated, the heirs or estate of the licensee or legal guardian may retain these items for no more than one hundred eighty (180) days after death or incapacitation, or until the license expires, whichever comes first, in which to settle the affairs of the licensee or to apply for a new license in the name of the successor.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 26—Dealer Licensure**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 301.553 and 301.562, RSMo Supp. 1999, the director adopts a rule as follows:

12 CSR 10-26.100 Advertising Regulation **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on December 1, 1999 (24 MoReg 2797–2798). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one letter of comment on this proposed rule.

COMMENT: The Missouri Automobile Dealers Association (MADA) commented on the proposed advertising rule. MADA said that the proposed rule drastically reduces the detail of the

language found in the old advertising rule. Many of the specific prohibitions and requirements were eliminated. MADA's position is that the simplified language may create questions concerning what specific advertising practices are prohibited.

RESPONSE: The existing regulation goes into minute, though not necessarily exhaustive, detail regarding what is or is not permissible in dealer advertising. The statutory authority for some of the prohibitions is unclear. The proposed regulation, on the other hand, emphasizes the general prohibition of advertisements or solicitations which are false, deceptive or fraudulent, or which involve a material misrepresentation, in a manner consistent with the statutory directives. The Department believes that the proposed regulation promotes the Department's interests in simplifying regulations while still providing sufficient guidance to its licensees regarding permissible advertising practices. No change was made to the proposed rule as a result of this comment.

Title 12—DEPARTMENT OF REVENUE

Division 10—Director of Revenue

Chapter 109—Sales/Use Tax—Sale of Property vs. Sale of Service

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 144.270 and 144.705, RSMo 1994, the director adopts a rule as follows:

12 CSR 10-109.050 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on December 15, 1999 (24 MoReg 2980-2981). The section of the proposed rule with change is reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one letter of comment on this proposed rule.

COMMENT: The commenter suggested clarifying Section 3(A).
RESPONSE AND EXPLANATION OF CHANGE: Section 3(A) was changed to address the concern.

12 CSR 10-109.050 Taxation of Computer Software Programs

(3) Basic Application of the Tax.

(A) Tax applies to the sale of canned programs delivered in a tangible medium which are transferred to and retained by the purchaser. Examples of canned programs delivered in a tangible medium would include coding sheets, cards, magnetic tape, CD-ROM or other tangible electronic distribution media on which or into which canned programs have been coded, punched or otherwise recorded.

Title 12—DEPARTMENT OF REVENUE

Division 30—State Tax Commission

Chapter 1—General Organization

ORDER OF RULEMAKING

By the authority vested in the State Tax Commission under sections 137.1018 and 137.1021, RSMo Supp. 1999, the commission amends a rule as follows:

12 CSR 30-1.030 Forms is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 15, 1999 (24 MoReg 2695-2696). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received by the State Tax Commission during the comment period.

Title 12—DEPARTMENT OF REVENUE

Division 30—State Tax Commission

Chapter 2—Original Assessment

ORDER OF RULEMAKING

By the authority vested in the State Tax Commission under sections 137.022, RSMo 1994 and 137.023, RSMo Supp. 1999, the commission rescinds a rule as follows:

12 CSR 30-2.017 *De Minimis* Levels of Assessed Valuation of Private Car Companies is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 15, 1999 (24 MoReg 2696-2701). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received by the State Tax Commission during the comment period.

Title 12—DEPARTMENT OF REVENUE

Division 30—State Tax Commission

Chapter 2—Original Assessment

ORDER OF RULEMAKING

By the authority vested in the State Tax Commission under sections 137.1018 and 137.1021, RSMo Supp. 1999, the commission adopts a rule as follows:

12 CSR 30-2.018 Method of Adminstrating the *Ad Valorem* Taxation of the Private Railcar Industry is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 15, 1999 (24 MoReg 2702). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received by the State Tax Commission during the comment period.

Title 16—RETIREMENT SYSTEMS

Division 10—The Public School Retirement System of Missouri

Chapter 6—The Nonteacher School Employee Retirement System of Missouri

ORDER OF RULEMAKING

By the authority vested in the board of trustees under section 169.610, RSMo 1994, the board hereby amends a rule as follows:

16 CSR 10-6.020 Source of Funds is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2000 (25 MoReg 24). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 10—Office of the Director
Chapter 5—Procedures for the Collection and
Submission of Data to Monitor Health Maintenance
Organizations**

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Health under section 192.068, RSMo Supp. 1999, the department hereby amends a rule as follows:

19 CSR 10-5.010 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2000 (25 MoReg 24-40). The sections with changes are reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Comments were received from eight health care plans, the Division of Medical Services, and a member of the Managed Care Advisory Committee. The Missouri Association of Health Plans (MAHP) submitted comments after the official deadline, however their comments were mirrored in other comments received from the plans.

COMMENT: Comments were received from Mercy Health Plan and United Healthcare of the Midwest asking if we are requiring separate surveys for the HMO and POS (point-of-service) enrollees.

RESPONSE: The proposed rule does not require the health care plans to submit separate surveys for HMO and POS enrollees; therefore, no change to the rule is necessary.

COMMENT: Comments were received from Mercy Health Plan, United Healthcare of the Midwest and Alliance Blue Cross/Blue Shield concerning the language in Section 2(A) requiring the plans to submit "a separate satisfaction survey for their commercial enrollees." These plans found the language confusing.

RESPONSE AND EXPLANATION OF CHANGE: The language requiring the plans to submit separate surveys was intended for managed care organizations (MCOs) that operate under more than one license in Missouri. In this circumstance, the MCO would be required to file separate data for each licensed health plan. In Section 1(A) the definition of a health care plan was modified to indicate a "separately licensed" entity. Subsequent use of the term "health care plan" in the rule document will be tied to this definition. We agree that the amended language was confusing; therefore, the last sentence in Section 2(A) and the first sentence in Section 4(B) were deleted.

COMMENT: Comments were received from Alliance Blue Cross/Blue Shield on Section 2(B) seeking clarification that financial charges would not be assessed against the plans for submitting the satisfaction survey through the certified vendor.

RESPONSE: The Department will not charge the plans for submitting the survey data through the vendor. Last year many of the plans submitted their member satisfaction survey data to the Department directly from the certified vendor. No change to the rule.

COMMENT: Comments were received from Care Partners asking if the MC+ plans (Medicaid plans) were required to submit their HEDIS data separately for each of the MC+ regions and separately for the MC+ and 1115 waiver populations.

RESPONSE AND EXPLANATION OF CHANGE: The Medicaid health care plans should not submit separate data for the MC+ and Medicaid enrollees, however they should submit data for each MC+ region where coverage is provided. Section 3(C) and Table B were amended to clarify this requirement.

COMMENT: Comments were received from Alliance Blue Cross/Blue Shield, Kaiser Permanente and the Missouri Association of Health Plans regarding confidentiality concerns about the submission of enrollee data by the plans. Alliance Blue Cross/Blue Shield indicated support of submitting enrollee data for linking with birth certificate data, but felt the Department should clarify that the purpose of such submissions is limited to this linkage and the calculation of the birth-related quality indicators.

RESPONSE AND EXPLANATION OF CHANGE: The reporting requirements in Section 4 and Table C of the rule are currently limited to enrollee data that are linked to the Department's birth record file for the purpose of calculating the birth-related quality indicators. The plans have been reporting these data to the Department for two years. A follow-up telephone conversation with a representative of Kaiser Permanente revealed they mistakenly thought that some other type of enrollee data was being required; they had no objection to the current data exchange. Many of the plans, including Alliance Blue Cross/Blue Shield, view the data exchange as a worthwhile effort, especially given that it eliminates or reduces the costs of preparing these specific indicators. With the proposed rule amendment, the Department modified Table C, which includes file specifications and record layouts, to request the data in a format that would improve the enrollee data linkage to the birth record file. The amendment changes were made in consultation with representatives of several plans. To provide further clarification, we have changed the title of Table C and made revisions to the descriptions of record filtering and file media on the File Specifications page.

COMMENT: Comments were received from HealthLink seeking clarification about specific fields for the member satisfaction survey file.

RESPONSE: Table A of the proposed rule states that the member satisfaction survey data be submitted to the Department as PC ASCII or ANSI files and that other file specifications conform to NCQA requirements for submission by the certified vendors. Plans are required to use NCQA-certified vendors for the survey. These vendors are instructed by NCQA to employ the correct file layout for the member satisfaction data. No change to the rule.

COMMENT: Comments were received from several plans and the Division of Medical Services inquiring about the requirement for the Medicaid plans to submit data on the Antidepressant Medication Management quality indicator.

RESPONSE AND EXPLANATION OF CHANGE: This was a typographical error in preparing the rule. The Antidepressant Medication Management quality indicator will not be required for the Medicaid plans. Table B was revised to reflect this correction.

COMMENT: Comments were received from HealthLink asking if the Department will follow NCQA's rotation strategy for the indicator Advised to Quit Smoking in the member satisfaction survey.

RESPONSE: In general, the Department does plan to follow the NCQA rotation strategy in the annual selection of indicators to be reported. For those indicators the Department would like to monitor more frequently, plans will have the option of providing updated information or using the last data submitted for that indicator. No change in the rule.

COMMENT: Comments were received from HealthNet asking for clarification about reporting enrollee data for the birth-related indicators when the mother's maiden name is not known.

RESPONSE: The mother's maiden name is included in the record layout for Table C to improve the linkage of the enrollee data to the birth record data. If the health care plan does not capture the mother's maiden name in their administrative file, the field for this data element should be left blank. No change to the rule.

COMMENT: Comments were received from a member of the Advisory Committee suggesting that "/" be replaced with "or" in Table D, Part II, Questions 3a and 4a.

RESPONSE AND EXPLANATION OF CHANGE: We agree with the comment and have made the changes, accordingly.

COMMENT: Comments were received from Alliance Blue Cross/Blue Shield asking about the request for the hospital Federal ID number in Table D, Part II, Question 11.

RESPONSE: Question 11 was revised from the prior version of Table D to allow for more accurate and consistent recording of the hospital identification information. The use of the Federal ID number was suggested by several plans as an alternative to the Department's codes for facilities. No change to the rule.

COMMENT: Comments were received from United Healthcare of the Midwest and Kaiser Permanente requesting that deadlines for data submission be extended.

RESPONSE: Deadline dates for data reporting were not part of the rule amendment. Except for Table C, all data submission dates specified in the rule conform to the dates set by, and/or revised by, NCQA for data reporting. No change to the rule.

COMMENT: Comments were received from Healthcare USA suggesting that lead screening be added to indicators collected in Table D.

RESPONSE: The Department agrees that this is an important issue. We will recommend this item to the Advisory Committee for inclusion in the next iteration of Table D. No change to the rule.

COMMENT: During the course of the data preparation for the buyer's guide, some plans indicated a broad interpretation of the term "reminder/recall" in Table D, used in conjunction with questions about preventive screening and services. Some plans argued this could be construed to mean providing general education materials about obtaining preventive services or sending out such information on birthdays or membership anniversary dates.

RESPONSE AND EXPLANATION OF CHANGE: The Department intended a more precise meaning of the term "reminder/recall." A note describing the term has been inserted before Question 3a in Table D, Part II.

COMMENT: Comments were received from Alliance Blue Cross/Blue Shield about the timing of the development of the rule, indicating that there is insufficient time for the plans to implement.

RESPONSE: The Department has attempted to tie the development of the rule with the release of information by NCQA on the quality indicators and technical specifications for the subsequent reporting cycle. If we develop the rule too early, we miss impor-

tant directives from NCQA, resulting in a rule that is not consistent with NCQA requirements. This occurred with our rule amendment for the 1998 reporting cycle. We are also constrained by the length of the formal rulemaking process, which typically spans six to eight months. To accommodate this situation, the Department made a concerted effort this past year to involve the plans in the development of the rule, sharing drafts for review and comment. We will continue to seek ways to make this process as efficient and fair as possible. No change to the rule.

COMMENT: Comments were received from Alliance Blue Cross/Blue Shield and the Missouri Association of Health Plans suggesting that the Department has exceeded the NCQA/HEDIS reporting requirements.

RESPONSE AND EXPLANATION OF CHANGE: The Department is required by RSMo 192.068 to collect data from the health care plans on quality of care, access to care, member satisfaction and member health status. Under this authority the Department may use, but is not limited to, the published standards and data sets developed by NCQA or other nationally recognized accreditation organizations. During the course of developing the rule and subsequent amendments, the Department has strived to achieve consistency with the NCQA/HEDIS requirements with respect to the member satisfaction data, definitions of the quality indicators, and the technical specifications for measurement and data collection. The survey in Table D of the rule was developed by the Department to collect information on various indicators of access to care, an important dimension of plan performance and a category of data reporting that is specified in the legislation. Only technical changes were made to last year's rule pertaining to Table D.

COMMENT AND RESPONSE FOR EXPLANATION OF CHANGE: Upon review of the comments received, the department revised Table D, Part II, Question 11 to clearly mark the subsections of the question.

19 CSR 10-5.010 Monitoring Health Maintenance Organizations Definitions

(2) Starting in 1998, commercial health care plans shall submit annually to the department, member satisfaction survey data—

(A) The member satisfaction survey shall be conducted according to HEDIS® technical specifications, including survey instrument, sample size, sampling method, and collection protocols;

(3) Starting in 1998, health care plans shall provide annually to the Department, audited quality indicator data—

(C) Each licensed health care plan shall submit separate quality indicator data files for their commercial, Medicaid and Medicare enrollees. Health care plans that contract with the Division of Medical Services to provide coverage in more than one Medicaid region, shall submit separate quality indicator data for the enrollees in each region. The quality indicator data shall be submitted to the department in electronic form and conform to the specifications listed in Table B. Table B is incorporated herein by reference; and

(4) Starting in 1998, all commercial health care plans shall submit annually to the department enrollee data for linkage with department data to produce quality indicators—

(B) The enrollee data shall be submitted in electronic form and shall conform to the file record contents and specifications listed in Table C of this rule. Table C is incorporated herein by reference.

Table B

Quality Indicator Data Specifications
Reporting Period: CY1999

Data reported for each of the indicators listed below shall conform to the NCQA HEDIS Data Submission Tool and all other HEDIS technical specifications for indicator descriptions and calculations. An "X" in the table below indicates data are to be reported for this quality indicator if the health care plan offers this product line to Missouri residents.

Applicable to:

<u>Indicator</u>	<u>Commercial</u>	<u>Medicaid</u>	<u>Medicare</u>
Childhood Immunization Status	X	X	
Adolescent Immunization Status	X	X	
Breast Cancer Screening*	X		X
Cervical Cancer Screening*		X	
Beta Blocker Treatment After Heart Attack	X		X
Comprehensive Diabetes Care	X		X
Antidepressant Medication Management	X		X
Annual Dental Visit		X	

*The plan may elect to use the prior year's data when the indicator is subject to rotation and is off-cycle for NCQA reporting.

File Content

For each of the quality indicators listed above, the plans shall report the following elements from the NCQA HEDIS Data Submission Tool:

1. Data collection methodology (Administrative or Hybrid.)
2. Eligible member population (i.e., members who meet all denominator criteria.)
3. Minimum required sample size (MRSS) or other sample size
4. Number of original sample records excluded because of valid data errors.
5. Number of records excluded because of contraindications identified through administrative data.
6. Number of records excluded because of contraindications identified through medical record review.
7. Additional records added from the auxiliary list.
8. Denominator
9. Numerator events by administrative data
10. Numerator events by medical record
11. Reported rate
12. Lower 95% confidence interval
13. Upper 95% confidence interval

All data elements above shall conform to the HEDIS technical specifications, as outlined in the NCQA-published technical manuals.

Table B**Quality Indicator Data Specifications
Reporting Period: CY1999**

(continued)

File format and media

The quality indicator data shall be submitted hardcopy as well as electronically, in a data file format to be specified by the Department. The file format will be provided to the plans for the option of data entry on diskette using Microsoft Excel or Access software, or on-line data entry to the Department via the Internet. All other data specifications shall conform to those required by NCQA for submission of the audited quality indicator data.

File Consistency

Plans that elect to submit separate files for sub-groups of their enrollment population must consistently do so for all data submission categories required by this rule. Health care plans that contract with the Division of Medical Services to provide coverage in more than one Medicaid region, shall submit separate quality indicator data for the enrollees in each region.

Table C

Health Care Plan Data for Birth-Related Indicators

File Specifications

Record Filtering

This file contains records for female enrollees of the health care plan who delivered a live birth during the reporting year, including those who resided or gave birth outside Missouri. Separate enrollee records shall be submitted for each delivery. (E.g., An enrollee who has two deliveries in the same reporting year would require two separate records.)

File Media

Enrollee data shall be submitted to the Department electronically as PC ANSI or ASCII files.

File Consistency

Plans that elect to submit separate files for sub-groups of their enrollment population must consistently do so for all data submission categories required by this rule.

Table C

Health Care Plan Data for Birth-Related Indicators*Record Layout*

LAYOUT FOR HEADER RECORD

Columns

Field Name	Begin	End	Field Length	Data Type	Justify	Fill w/ leading zeroes
Plan Name	1	46	46	C	L	--

LAYOUT FOR ENROLLEE LEVEL RECORDS

Columns

Field Name	Begin	End	Field Length	Data Type	Justify	Fill w/ leading zeroes
Health Care Plan ID	1	5	5	C	L	Y
Plan Type	6	6	1	N	--	
Financial Class Type	7	7	1	N	--	
Type of Coverage	8	8	1	N	--	
Relationship Code	9	10	2	C	--	Y
Subscriber ID	11	21	11	C	L	
Enrollee ID	22	32	11	C	L	
First Name	33	46	14	C	L	
Middle Initial	47	47	1	C	--	
Last Name	48	62	15	C	L	
Enrollee Maiden Name	63	77	15	C	L	
Address1	78	107	30	C	L	
Address2	108	121	14	C	L	
Geocode	122	125	4	C	--	Y
City	126	145	20	C	L	
State	146	147	2	C	L	
Zip Code	148	152	5	C	L	
Enrollee Birth Date	153	160	8	C	--	Y*
Continuous Enrollment	161	161	1	N	--	
Birth Hospital Name	162	181	20	C	L	
Hospital Federal Tax I.D.	182	190	9	N	R	
Hospital Admit Date	191	198	8	C	--	Y*

* Both month and year. See "Description of File Contents" on the page following for example.

Table C

Health Care Plan Data for Birth-Related Indicators
Description of File Contents

Field Name	Field Values
Health Care Plan ID	Five digit code issued by Dept. of Insurance (NAICID) If none issued, use any unique 7 char string
Plan Type	1=HMO 2=POS 3=Other
Financial Class Type	1=Commercial 2=Medicare 3=Medicaid
Type of Coverage	1=Single 2=Family
Relationship Code	Relationship of Birth Mother to Subscriber 01= Subscriber (self) 02= Spouse of Subscriber 03= Child of Subscriber 04= Disabled Dependent
Subscriber ID	Subscriber's SSN in the format XXXXXXXXXX (no dashes). Field should be left justified with leading zeroes retained. If SSN unknown, insert unique Plan ID.
Enrollee ID	Mother's SSN in the format XXXXXXXXXX (no dashes). Field should be left justified with leading zeroes retained. If SSN unknown, insert unique Plan ID.
First Name	First Name of Birth Mother, preferably as given on birth record
Middle Initial	Middle initial of birth mother
Last Name	Last name of birth mother, preferably as given on birth record
Enrollee Maiden Name	Birth Mother's Maiden Name
Address1	House number and Street Name
Address2	Apartment, lot number, etc.
Geocode*	Enrollee city of residence, represented as a four digit Missouri city code, including leading zero(s) Example: Blue Springs = 0425
City	Name of enrollee city of residence
State	Enrollee state of residence, either as two digit FIPS or two character postal abbreviation. Example: Missouri=29 or MO
Zip Code	Five digit postal code. Should crosscheck with city and state. Example: if zip is 63011, city should be 'Ballwin', not 'St. Louis'
Enrollee Birth Date	Birth mother's date of birth in format MMDDYYYY with leading zero(s) retained for month and/or day. Example 010176
Continuous Enrollment**	1=meets criteria 2=does not meet criteria
Birth Hospital Name	Full name of birth hospital
Hospital Federal Tax I.D.	Nine digit tax identification number of the birth hospital. Do not enter a dash.
Hospital Admit Date	Date birth mother was admitted to hospital, in format MMDDYYYY with leading zero(s) retained for month and/or day. Example 010199

* Data file of geocodes is available for download from the Department, via the Internet at <http://www.health.state.mo.us/ResourceMaterial>

** Continuous enrollment shall be figured in accordance with the current HEDIS specifications for PreNatal Care in the First Trimester.

Table D**Managed Health Care Services**File Specifications

Responses to the following questions must be submitted electronically, in a data file format specified by the Department. The file format will be provided to the plans for the option of data entry on diskette using Microsoft Access software, or on-line data entry to the Department via the Internet.

Table D must be completed for each managed care product line (Commercial, Medicaid, or Medicare) offered by each licensed health care plan. Responses should be based on activity or status during the reporting period, within each product line (payor). Survey questions in Table D shall apply except where otherwise noted, only to fully insured (ERISA exempt) enrollments.

Table D

**Managed Health Care Services
Reporting Period: CY 1999**

II. HEALTH PLAN SERVICES

1.) Please indicate for each of the following high risk conditions/diseases, if your managed care plan (A) has screening mechanisms, (B) provides case management, and (C) provides specific educational materials to persons-at-risk: (CHECK ALL THAT APPLY)

<u>High Risk Conditions/Diseases</u>	(A) <u>Screening Mechanisms</u>	(B) <u>Case Management</u>	(C) <u>Education for Persons-at-risk</u>
Asthma	()	()	()
Stroke/Cardiovascular Disease	()	()	()
Breast Cancer	()	()	()
Cervical Cancer	()	()	()
Ovarian Cancer	()	()	()
Congestive Heart Failure (CHF)	()	()	()
Chronic Obstructive Pulmonary Disease	()	()	()
Diabetes	()	()	()
Depression	()	()	()
HIV	()	()	()
Sickle Cell Anemia	()	()	()
High Risk Pregnancy	()	()	()
Obesity	()	()	()
Tobacco Use	()	()	()
Multiple Illnesses	()	()	()
Chronic Diseases	()	()	()
Other _____ (PLEASE SPECIFY)	()	()	()

2.) Please indicate if your managed care plan provides any of the following:

- a.) Routine distribution of educational materials
on general health promotion, disease prevention
and wellness () YES () NO
- b.) Information sent to all plan enrollees which
addresses some or all of the high-risk conditions/
diseases listed in Question 1. () YES () NO
- c.) Distribution of pre- and post-surgical
information to enrollees () YES () NO

Note: The term *reminder/recall* in Questions 3a – 4b refers to notices intended to insure timely scheduling of the specific preventive screening/test or service indicated. General education materials or notices tied to anniversary dates, such as birthdays or enrollment dates, do not meet this definition.

3a.) Commercial or Medicaid only (If completing for a Medicare plan, skip to Question 3b)

Do you send reminder/recall letters and/or make telephone calls from your managed care plan office to your members to ensure usage of the following preventive services?

Mammograms	() YES	() NO
Immunizations	() YES	() NO
Pap smears	() YES	() NO
Diabetic Screens/Tests	() YES	() NO

3b.) Medicare only

Do you send reminder/recall letters and/or make telephone calls from your managed care plan office to your members to ensure usage of the following preventive services?

Mammograms	() YES	() NO
Immunizations	() YES	() NO
Well-woman checks	() YES	() NO
Diabetic Screens/Tests	() YES	() NO

4a.) Commercial or Medicaid only (If completing for a Medicare plan, skip to Question 4b)

Do you provide reminder/recall letters for your providers to use to notify your enrollees of the following preventive services?

Mammograms	() YES	() NO
Immunizations	() YES	() NO
Pap smears	() YES	() NO
Diabetic Screens/Tests	() YES	() NO

4b.) Medicare only

Do you provide reminder/recall letters for your providers to use to notify your enrollees of the following preventive services?

Mammograms	() YES	() NO
Immunizations	() YES	() NO
Well-woman checks	() YES	() NO
Diabetic Screens/Tests	() YES	() NO

5.) Does your plan routinely conduct continuing education sessions with your providers to improve their knowledge on current clinical practice recommendations?

() YES () NO

6.) Does your managed care plan provide a RN hotline for your members?

() YES, for all products () YES, for some products () NO

7.) During the reporting period, did your plan provide coverage to your non-ASO members for the following health benefits? Please indicate if the benefit item was offered as standard coverage for all non-ASO products within the product line (commercial, Medicaid or Medicare), as standard coverage only for some non-ASO products in the product line, offered only by rider clause, or not covered at all. (CHECK ONLY ONE FOR EACH BENEFIT LISTED)

	Non-ASO Product Only			
	<u>All Products</u>	<u>Some Products</u>	<u>Offered only by rider clause</u>	<u>Not Offered</u>
Rx coverage of prenatal vitamins, including folic acid.....	()	()	()	()
Contraceptives:				
Birth control pills.....	()	()	()	()
IUDs.....	()	()	()	()
Norplant.....	()	()	()	()
Depo Provera.....	()	()	()	()
Annual eye exam for refractive errors.....	()	()	()	()
Autologous bone marrow transplants.....	()	()	()	()
Stem cell rescue for breast cancer.....	()	()	()	()
Access to chiropractic services	()	()	()	()
Access to podiatric services....	()	()	()	()
Unrestricted approval for annual flu shots.....	()	()	()	()
Smoking cessation classes <u>or</u> cessation medications.....	()	()	()	()
Routine physical exams.....	()	()	()	()
Pap smears.....	()	()	()	()
Conduct wellness surveys.....	()	()	()	()

8.) During the reporting period, did your plan manage the following health services for your ASO group contracts? For each of the health services listed below, please indicate if it was elected as a covered benefit in all the ASO contracts with your plan, in some of the ASO contracts, or in none of the ASO contracts. (CHECK ONE COLUMN ONLY) Also indicate the proportion of your total ASO member enrollment who have coverage for the health service.

Selected Covered Benefits:			
	All <u>Contracts</u>	<u>ASO Contracts</u> Some <u>Contracts</u>	None of the <u>Contracts</u>
Immunizations.....	()	()	()
Mammograms.....	()	()	()
Pap Smear.....	()	()	()
			Percent of ASO Enrollment <u>Covered</u>

9.) For each preventive service listed below, please indicate if, during the reporting year, your plan (A) requires physicians to provide you their practice profile or (B) provides the individual practice profiles to the physicians. In column (C) indicate if you sent comparative profile information to the physicians.

	(CHECK "A" OR "B") (A) Physicians Provide <u>Profiles</u>	(B) Plan Provides <u>Profiles</u>	(CIRCLE Y or N) (C) Plan Sends Comparative <u>Profile Data</u>
Childhood Immunizations.....	()	()	Y/N
Adolescent Immunizations.....	()	()	Y/N
Breast Cancer Screenings.....	()	()	Y/N
Pap Smears.....	()	()	Y/N
Beta Blocker Treatment After Heart Attack.....	()	()	Y/N
Comprehensive Diabetic Care:			
Hemoglobin Testing.....	()	()	Y/N
Retinal Disease Eye Exam.....	()	()	Y/N
LDL-C (Lipids) Testing.....	()	()	Y/N
Nephropathy Screenings.....	()	()	Y/N
Annual Flu Shots for Older Adults.....	()	()	Y/N
Tobacco Cessation Counseling.....	()	()	Y/N
Other (Please specify)_____	()	()	Y/N

10.) Please indicate the administrative policies for your plan, as they applied to your non-ASO members during the reporting year.
(CHECK A RESPONSE FOR EACH POLICY LISTED)

	YES All <u>Products</u>	YES Some <u>Products</u>	NO No Plan <u>Products</u>
a.) Allow access to OB/GYNs other than the once per year visit without referral	()	()	()
b.) Patient must see PCP for referral to any specialist	()	()	()
c.) PCP must contact HMO or its agency for referral to any specialist	()	()	()
d.) Members can access non-OB/GYN in- network specialist without referral or prior authorization	()	()	()
e.) Allow specialists other than OB/GYN to be designated as PCP for patients with chronic disease	()	()	()

11.) For each procedure category listed below, please provide the hospital identifier information and the number of procedures performed on your plan members during the reporting period for the facilities in your plan network. Use additional data entry lines, as necessary.

<u>Procedure/ICD9-CM Code</u>	<u>Hospital Name</u>	<u>Federal ID #</u>	<u>Px #</u>
a.) Cardiac Catheterization (37.21-37.23)			
	1. _____	_____	_____
	2. _____	_____	_____
	3. _____	_____	_____
	4. _____	_____	_____
	5. _____	_____	_____
	6. _____	_____	_____
	7. _____	_____	_____
	8. _____	_____	_____
	9. _____	_____	_____
	10. _____	_____	_____

<u>Procedure/ICD9-CM Code</u>	<u>Hospital Name</u>	<u>Federal ID #</u>	<u>Px #</u>
b.) Cardiac Angiography (88.55-88.57)	1. _____	_____	____
	2. _____	_____	____
	3. _____	_____	____
	4. _____	_____	____
	5. _____	_____	____
	6. _____	_____	____
	7. _____	_____	____
	8. _____	_____	____
	9. _____	_____	____
	10. _____	_____	____
c.) Coronary Artery Bypass Graft (36.1, 36.2)	1. _____	_____	____
	2. _____	_____	____
	3. _____	_____	____
	4. _____	_____	____
	5. _____	_____	____
	6. _____	_____	____
	7. _____	_____	____
	8. _____	_____	____
	9. _____	_____	____
	10. _____	_____	____
d.) Total Hip Replacement (81.51, 81.53)	1. _____	_____	____
	2. _____	_____	____
	3. _____	_____	____
	4. _____	_____	____
	5. _____	_____	____

<u>Procedure/ICD9-CM Code</u>	<u>Hospital Name</u>	<u>Federal ID #</u>	<u>Px #</u>
d.) Total Hip Replacement (continued)	6. _____	_____	_____
	7. _____	_____	_____
	8. _____	_____	_____
	9. _____	_____	_____
	10. _____	_____	_____
e.) Prostatectomy (60.21, 60.29, 60.3-60.5 60.61, 60.62, 60.69)	1. _____	_____	_____
	2. _____	_____	_____
	3. _____	_____	_____
	4. _____	_____	_____
	5. _____	_____	_____
	6. _____	_____	_____
	7. _____	_____	_____
	8. _____	_____	_____
	9. _____	_____	_____
	10. _____	_____	_____

**Title 19—DEPARTMENT OF HEALTH
Division 60—Missouri Health Facilities Review
Committee
Chapter 50—Certificate of Need Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Health Facilities Review Committee under section 197.320, RSMo Supp. 1999, the committee amends a rule as follows:

19 CSR 60-50.310 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 1999 (24 MoReg 2823-2825). The section with changes is reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Comments were received from the Missouri State Medical Association and Harvey Tettlebaum. The comment from the the Missouri State Medical Association did not require a modification of the proposed amendment. The comment from Harvey Tettlebaum did result in a modification to the proposed amendment as shown after the responses to comments.

COMMENT: The proposed amendment would add a definition for “diagnostic imaging center” to existing definitions. Missouri statutes do not define “diagnostic imaging centers,” but Section 197.305(7), RSMo, includes the term in its definition of health care facilities which are subject to review. However, more than half of the imaging devices are “nonsubstantive” and not subject to review. These conflicting provisions create confusion and uncertainty.

RESPONSE: Although certain radiology equipment is nonsubstantive, if the equipment is part of a proposal to construct a new diagnostic imaging center having a cost that exceeds the expenditure minimum, the project is subject to review. The committee disagrees with the comment, and the proposed amendment was not modified.

COMMENT: The proposed amendment attempts to provide a definition for a “diagnostic imaging center” as follows: “Diagnostic imaging center means a structure or portion of a structure housing any professional or business undertaking . . . which offers or proposes to offer any clinical radiological diagnostic health services in a setting which is not a part of a hospital . . .” In order to make the definition less restrictive and narrow, change the word “structure” to “facility” and delete the words “which is not part of a hospital” because diagnostic imaging centers include hospitals, other office buildings, special purpose buildings, and medical office buildings.

RESPONSE AND EXPLANATION OF CHANGE: The term “structure” is not used in the CON Statute but the term “facility” is. The committee agrees with the comment, and the proposed amendment was modified.

19 CSR 60-50.310 Guidelines for Specific Health Services

(7) Diagnostic imaging center means a facility or portion of a facility housing any professional or business undertaking, whether for profit or not for profit, which offers or proposes to offer any clinical radiological diagnostic health service which, at a minimum, uses a specialized collection of imaging equipment made up of any two (2) or more of mammography, X-ray, computerized axial tomography, positron emission tomography, fluoroscopy, ultrasound, magnetic resonance imaging and related imaging services, and includes related support areas including patient processing,

waiting, records, storage, counselling, and other patient support functions.

**Title 22—MISSOURI CONSOLIDATED HEALTH
CARE PLAN**

**Division 10—Health Care Plan
Chapter 2—Plan Options**

ORDER OF RULEMAKING

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo Supp. 1999, the director amends a rule as follows:

22 CSR 10-2.010 Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2000 (25 MoReg 41). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 22—MISSOURI CONSOLIDATED HEALTH
CARE PLAN**

**Division 10—Health Care Plan
Chapter 2—Plan Options**

ORDER OF RULEMAKING

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo Supp. 1999, the director amends a rule as follows:

**22 CSR 10-2.020 Membership Agreement and Participation
Period is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2000 (25 MoReg 41-42). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 22—MISSOURI CONSOLIDATED HEALTH
CARE PLAN**

**Division 10—Health Care Plan
Chapter 2—Plan Options**

ORDER OF RULEMAKING

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo Supp. 1999, the director amends a rule as follows:

22 CSR 10-2.040 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2000 (25 MoReg 42-44). The changes to the text of the proposed amendment are reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS AND EXPLANATION OF CHANGE: Through verbal commentary it was discovered that an error was made in the stated amount of the prescription drug copayments. In addition, we have also provided a clarification of prescription drug benefits. The clarifications, along with the corrected copayment amounts are as follows:

22 CSR 10-2.040 Indemnity Plan Summary of Medical Benefits

(9) Prescription Drug Program—The indemnity plan provides coverage for maintenance and non-maintenance medications, as described in the following:

(A) Medications.

1. In-Network.

A. \$5 Copay for 30-day supply for generic drug on the formulary.

B. \$15 Copay for 30-day supply for brand drug on the formulary.

C. \$25 Copay for 30-day supply for non-formulary drug.

2. Non-Network. The deductible will apply. After satisfaction of the deductible, claims will be paid at fifty percent (50%) coinsurance. Charges will not be applied to the out-of-pocket maximum.

3. Mail order program. Prescriptions may be filled through a mail order program for up to a 90-day supply for twice the regular copayment for a drug on the maintenance list.

(B) Non-network Pharmacies. If a member chooses to use a non-network pharmacy, s/he will be required to pay the full cost of the prescription, then file a claim with the prescription drug administrator. S/he will be reimbursed the amount that would have been allowed at an in-network pharmacy, less any applicable deductibles or coinsurance. Any difference between the amount paid by the member at a non-network pharmacy and the amount that would have been allowed at an in-network pharmacy will not be applied to the out-of-pocket maximum.

**Title 22—MISSOURI CONSOLIDATED HEALTH
CARE PLAN
Division 10—Health Care Plan
Chapter 2—Plan Options**

ORDER OF RULEMAKING

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo Supp. 1999, the director amends a rule as follows:

22 CSR 10-2.050 Indemnity Plan Benefit Provisions and Covered Charges is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2000 (25 MoReg 45). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 22—MISSOURI CONSOLIDATED HEALTH
CARE PLAN
Division 10—Health Care Plan
Chapter 2—Plan Options**

ORDER OF RULEMAKING

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo Supp. 1999, the director amends a rule as follows:

22 CSR 10-2.060 Indemnity Plan Limitations is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2000 (25 MoReg 45-47). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 22—MISSOURI CONSOLIDATED HEALTH
CARE PLAN
Division 10—Health Care Plan
Chapter 2—Plan Options**

ORDER OF RULEMAKING

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo Supp. 1999, the director amends a rule as follows:

22 CSR 10-2.063 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2000 (25 MoReg 47-48). The changes to the text of the proposed amendment are reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS AND EXPLANATION OF CHANGE: Through verbal and commentary it was discovered that an error was made in the the stated amount of the prescription drug copayments. The corrected amounts as should have been stated in the proposed amendment are as follows:

22 CSR 10-2.063 HMO/POS/POS98 Summary of Medical Benefits

(1) Covered Charges.

(Z) Prescription Drugs—Insulin, syringes, test strips and glucometers are included in this coverage. There is no out-of-pocket maximum. Member is responsible only for the lesser of the applicable co-payment or the cost of the drug.

1. \$5 Copay for 30-day supply for generic drug on the formulary.

2. \$15 Copay for 30-day supply for brand drug on the formulary.

3. \$25 Copay for 30-day supply for nonformulary drug.

**Title 22—MISSOURI CONSOLIDATED HEALTH
CARE PLAN
Division 10—Health Care Plan
Chapter 2—Plan Options**

ORDER OF RULEMAKING

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo Supp. 1999, the director amends a rule as follows:

22 CSR 10-2.075 Review and Appeals Procedure is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2000 (25 MoReg 49). No changes have been made to

the text of the proposed amendment, so it is not reprinted here.
This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 100—Division of Credit Unions**

**APPLICATIONS FOR NEW GROUPS OR
GEOGRAPHIC AREAS**

Pursuant to section 370.081(4), RSMo Supp. 1999, the director of the Missouri Division of Credit Unions is required to cause notice to be published that the following credit unions have submitted applications to add new groups or geographic areas to their membership.

Credit Union	Proposed New Group or Geographic Area
Century Credit Union 1540 Lemay Ferry Road St. Louis, MO 63125	Persons working or residing in the 63052 Zip Code.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to any of these applications. Comments shall be filed with: Director, Division of Credit Unions, P.O. Box 1607, Jefferson City, MO 65102. To be considered, written comments must be submitted no later than ten business days after publication of this notice in the **Missouri Register**.*

**OFFICE OF ADMINISTRATION
Division of Purchasing**

BID OPENINGS

Sealed Bids in one (1) copy will be received by the Division of Purchasing, Room 580, Truman Building, P.O. Box 809, Jefferson City, MO 65102, telephone (573) 751-2387 at 2:00 p.m. on dates specified below for various agencies throughout Missouri. Bids are available to download via our homepage: <http://www.state.mo.us/oa/purch/purch.htm>. Prospective bidders may receive specifications upon request.

B1Z00290 Grocery Items 4/17/00;
B1Z00350 Shelving, Mobile, Track Type 4/17/00;
B1Z00365 Envelopes, Recycled, Unprinted 4/17/00;
B1Z00367 Monitoring System 4/17/00;
B1Z00383 Appliances 4/17/00;
B3Z00112 Janitorial Services 4/17/00;
B3Z00145 Parent Advisor 4/17/00;
B1Z00294 Mattresses/Box Springs/Headboards 4/18/00;
B1Z00332 Immunoassay Analyzer & Reagents 4/18/00;
B1Z00353 Postal Machines 4/18/00;
B1Z00363 Shelving, Metal 4/18/00;
B2Z00069 Radio, Tower, Transmission Device Service 4/18/00;
B3Z00114 Seminars-Solid Waste Disposal 4/18/00;
B3Z00171 Printing: High-Quality, Four Color 6" x 9" Textbook 4/18/00;
B1Z00298 Vials and Bottles 4/19/00;
B1Z00317 X-Ray System 4/19/00;
B3Z00167 Freight Hauling Services 4/19/00;
B1Z00381 Laboratory Reagents/Supplies 4/20/00;
B3Z00170 Vending Machine Services-St. Charles 4/20/00;
B1Z00325 Office Panel System Components 4/21/00;
B1Z00379 Police Equipment: Emergency Vehicle Lighting 4/21/00;
B1Z00299 Flag Restoration 4/24/00;
B3Z00155 Audit Services/Area Agencies 4/24/00;
B3Z00162 Janitorial Services 4/24/00;
B3Z00163 Trash Collection Services 4/24/00;
B3Z00176 Physical Therapy Services 4/24/00;
B1Z00297 Hygiene/Personal Care Products 4/25/00;
B3Z00117 Consulting Services/Telecommunications 4/25/00;
B3Z00148 Janitorial Services 4/26/00;
B3Z00149 Janitorial Services 4/26/00;
B1Z00373 Petri Dishes/Supplies 4/27/00;
B2Z00062 Point of Sale System 5/9/00;
B3Z00154 Administrative Services-Lewis & Clark Bicentennial Celebrations 5/9/00.

It is the intent of the state of Missouri, Division of Purchasing to purchase the following as a single feasible source without competitive bids. If suppliers exist other than the one identified, contact (573) 751-2387 immediately.

Public Safety Publications, supplied by National Crime Prevention Council

Mainframe Software Maintenance for Graphics Access Method/Host CADAM, supplied by IBM Corporation

PVC Compound, supplied by Spartech Polycom.

- 1.) TimeSheet Professional Software Maintenance & Technical Support, supplied by Sage U.S. Holdings, Inc.
- 2.) Fabric Label Ribbon, supplied by Markem Corporation.

- 3.) Cable Television Services, supplied by Galaxy Cablevision.
- 4.) Transportation Service-Monthly Bus Passes, supplied by Bi-State Development Agency.

Joyce Murphy, CPPO,
Director of Purchasing

**Rule Changes Since Update to
Code of State Regulations**

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—23 (1998), 24 (1999) and 25 (2000). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable and RUC indicates a rule under consideration.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
OFFICE OF ADMINISTRATION					
1 CSR 10	State Officials' Salary Compensation Schedule				23 MoReg 2473
	.....				24 MoReg 2535
1 CSR 20-5.010	Personnel Advisory Board		24 MoReg 2578	25 MoReg 696	
1 CSR 20-5.015	Personnel Advisory Board		24 MoReg 2578	25 MoReg 697	
1 CSR 20-5.020	Personnel Advisory Board		24 MoReg 2579	25 MoReg 697	
1 CSR 20-5.025	Personnel Advisory Board		24 MoReg 2580	25 MoReg 699	
DEPARTMENT OF AGRICULTURE					
2 CSR 10-5.005	Market Development	24 MoReg 2269			
2 CSR 10-5.010	Market Development		24 MoReg 2676	25 MoReg 563	
2 CSR 30-2.020	Animal Health		25 MoReg 633		
2 CSR 60-1.010	Grain Inspection and Warehousing		24 MoReg 2755		
2 CSR 60-4.011	Grain Inspection and Warehousing		24 MoReg 2755		
2 CSR 60-4.040	Grain Inspection and Warehousing		24 MoReg 2755R		
2 CSR 60-4.070	Grain Inspection and Warehousing		24 MoReg 2756		
2 CSR 60-4.110	Grain Inspection and Warehousing		24 MoReg 2756		
2 CSR 60-4.140	Grain Inspection and Warehousing		24 MoReg 2757		
2 CSR 60-4.150	Grain Inspection and Warehousing		24 MoReg 2758		
2 CSR 60-4.180	Grain Inspection and Warehousing		24 MoReg 2758		
2 CSR 60-5.010	Grain Inspection and Warehousing		24 MoReg 2759		
2 CSR 60-5.020	Grain Inspection and Warehousing		24 MoReg 2759R		
	.....		24 MoReg 2759		
2 CSR 60-5.030	Grain Inspection and Warehousing		24 MoReg 2760R		
2 CSR 60-5.040	Grain Inspection and Warehousing		24 MoReg 2760		
2 CSR 60-5.050	Grain Inspection and Warehousing		24 MoReg 2760		
2 CSR 60-5.070	Grain Inspection and Warehousing		24 MoReg 2761		
2 CSR 60-5.080	Grain Inspection and Warehousing		24 MoReg 2761		
2 CSR 60-5.100	Grain Inspection and Warehousing		24 MoReg 2762		
2 CSR 60-5.120	Grain Inspection and Warehousing		24 MoReg 2763		
2 CSR 80-2.180	State Milk Board	24 MoReg 2675	24 MoReg 2764	25 MoReg 699	
2 CSR 80-5.010	State Milk Board		25 MoReg 357		
2 CSR 90-20.040	Weights and Measures		25 MoReg 760		
2 CSR 90-22.140	Weights and Measures		25 MoReg 760		
2 CSR 90-25.010	Weights and Measures		25 MoReg 761		
DEPARTMENT OF CONSERVATION					
3 CSR 10-1.010	Conservation Commission		25 MoReg 477		
3 CSR 10-4.115	Conservation Commission		25 MoReg 259	This Issue	
3 CSR 10-4.116	Conservation Commission		25 MoReg 633	This Issue	
3 CSR 10-6.405	Conservation Commission		25 MoReg 260		
3 CSR 10-7.455	Conservation Commission				24 MoReg 2989
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 40-1.021	Office of Athletics	21 MoReg 2680			
4 CSR 40-5.070	Office of Athletics	21 MoReg 1963			
4 CSR 70-2.050	State Board of Chiropractic Examiners		This Issue		
4 CSR 70-2.100	State Board of Chiropractic Examiners		This Issue		
4 CSR 90-1.010	State Board of Cosmetology		This Issue		
4 CSR 90-2.010	State Board of Cosmetology		This Issue		
4 CSR 90-3.010	State Board of Cosmetology		This Issue		
4 CSR 90-4.020	State Board of Cosmetology		This IssueR		
	.....		This Issue		
4 CSR 90-11.010	State Board of Cosmetology		This Issue		
4 CSR 90-13.010	State Board of Cosmetology		This Issue		
4 CSR 100	Division of Credit Unions				25 MoReg 116
	.....				25 MoReg 225
	.....				25 MoReg 225
	.....				25 MoReg 724
	.....				25 MoReg 724
	.....				25 MoReg 724
	.....				This Issue
4 CSR 100-2.045	Division of Credit Unions		This Issue		
4 CSR 100-2.190	Division of Credit Unions		25 MoReg 261		
4 CSR 105-3.040	Credit Union Commission		25 MoReg 360		
4 CSR 110-2.001	Missouri Dental Board		25 MoReg 477		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 110-2.130	Missouri Dental Board.....		25 MoReg 478R		
			25 MoReg 478		
4 CSR 115-1.010	State Committee of Dietitians.....		This Issue		
4 CSR 115-1.020	State Committee of Dietitians.....		This Issue		
4 CSR 115-1.030	State Committee of Dietitians.....		This Issue		
4 CSR 115-1.040	State Committee of Dietitians.....		This Issue		
4 CSR 115-2.010	State Committee of Dietitians.....		This Issue		
4 CSR 115-2.020	State Committee of Dietitians.....		This Issue		
4 CSR 115-2.030	State Committee of Dietitians.....		This Issue		
4 CSR 115-2.040	State Committee of Dietitians.....		This Issue		
4 CSR 115-2.050	State Committee of Dietitians.....		This Issue		
4 CSR 120-1.030	Board of Embalmers and Funeral Directors.....		This Issue		
4 CSR 120-2.010	Board of Embalmers and Funeral Directors.....		This Issue		
4 CSR 120-2.060	Board of Embalmers and Funeral Directors.....		This Issue		
4 CSR 120-2.100	Board of Embalmers and Funeral Directors.....		25 MoReg 261		
4 CSR 150-2.001	State Board of Registration for the Healing Arts.....		25 MoReg 485		
4 CSR 150-2.005	State Board of Registration for the Healing Arts.....		25 MoReg 485		
4 CSR 150-2.065	State Board of Registration for the Healing Arts.....		25 MoReg 485		
4 CSR 150-2.080	State Board of Registration for the Healing Arts.....		25 MoReg 261		
4 CSR 150-2.100	State Board of Registration for the Healing Arts.....		25 MoReg 486		
4 CSR 150-3.203	State Board of Registration for the Healing Arts.....		25 MoReg 486		
4 CSR 150-4.051	State Board of Registration for the Healing Arts.....		25 MoReg 487		
4 CSR 150-4.055	State Board of Registration for the Healing Arts.....		25 MoReg 487		
4 CSR 150-4.060	State Board of Registration for the Healing Arts.....		25 MoReg 488		
4 CSR 150-4.105	State Board of Registration for the Healing Arts.....		25 MoReg 488		
4 CSR 150-4.110	State Board of Registration for the Healing Arts.....		25 MoReg 489R		
			25 MoReg 489		
4 CSR 150-4.115	State Board of Registration for the Healing Arts.....		25 MoReg 490R		
			25 MoReg 490		
4 CSR 150-4.120	State Board of Registration for the Healing Arts.....		25 MoReg 491R		
			25 MoReg 491		
4 CSR 150-4.125	State Board of Registration for the Healing Arts.....		25 MoReg 496		
4 CSR 150-4.130	State Board of Registration for the Healing Arts.....		25 MoReg 496		
4 CSR 150-4.200	State Board of Registration for the Healing Arts.....		25 MoReg 496		
4 CSR 150-4.201	State Board of Registration for the Healing Arts.....		25 MoReg 497		
4 CSR 150-4.203	State Board of Registration for the Healing Arts.....		25 MoReg 497		
4 CSR 150-4.205	State Board of Registration for the Healing Arts.....		25 MoReg 498		
4 CSR 150-4.210	State Board of Registration for the Healing Arts.....		25 MoReg 503		
4 CSR 150-4.215	State Board of Registration for the Healing Arts.....		25 MoReg 503		
4 CSR 150-6.020	State Board of Registration for the Healing Arts.....		25 MoReg 507		
4 CSR 150-6.025	State Board of Registration for the Healing Arts.....		25 MoReg 507		
4 CSR 150-6.030	State Board of Registration for the Healing Arts.....		25 MoReg 512		
4 CSR 150-6.060	State Board of Registration for the Healing Arts.....		25 MoReg 512		
4 CSR 150-6.070	State Board of Registration for the Healing Arts.....		25 MoReg 517		
4 CSR 150-7.100	State Board of Registration for the Healing Arts.....		25 MoReg 517		
4 CSR 150-7.120	State Board of Registration for the Healing Arts.....		25 MoReg 517		
4 CSR 150-7.122	State Board of Registration for the Healing Arts.....		25 MoReg 518		
4 CSR 150-7.125	State Board of Registration for the Healing Arts.....		25 MoReg 518		
4 CSR 150-7.140	State Board of Registration for the Healing Arts.....		25 MoReg 519		
4 CSR 150-7.200	State Board of Registration for the Healing Arts.....		25 MoReg 521		
4 CSR 150-7.300	State Board of Registration for the Healing Arts.....		25 MoReg 521		
4 CSR 150-7.310	State Board of Registration for the Healing Arts.....		25 MoReg 527		
4 CSR 155-1.010	Office of Health Care Providers.....		25 MoReg 531		
4 CSR 155-1.020	Office of Health Care Providers.....		25 MoReg 531		
4 CSR 193-1.010	Interior Design Council.....		25 MoReg 761		
4 CSR 193-1.020	Interior Design Council.....		25 MoReg 761		
4 CSR 193-1.030	Interior Design Council.....		25 MoReg 765		
4 CSR 193-2.010	Interior Design Council.....		25 MoReg 769		
4 CSR 193-2.020	Interior Design Council.....		25 MoReg 773		
4 CSR 193-2.030	Interior Design Council.....		25 MoReg 773		
4 CSR 193-2.040	Interior Design Council.....		25 MoReg 773		
4 CSR 193-3.010	Interior Design Council.....		25 MoReg 778		
4 CSR 193-3.020	Interior Design Council.....		25 MoReg 778		
4 CSR 193-4.010	Interior Design Council.....		25 MoReg 782		
4 CSR 193-5.010	Interior Design Council.....		25 MoReg 782		
4 CSR 193-6.010	Interior Design Council.....		25 MoReg 786		
4 CSR 193-6.020	Interior Design Council.....		25 MoReg 789		
4 CSR 193-6.030	Interior Design Council.....		25 MoReg 792		
4 CSR 195-5.010	Workforce Development.....		24 MoReg 2314		
			This Issue		
4 CSR 195-5.020	Workforce Development.....		24 MoReg 2315		
			This Issue		
4 CSR 195-5.030	Workforce Development.....		24 MoReg 2318		
			This Issue		
4 CSR 197-1.010	Board of Therapeutic Massage.....		25 MoReg 795		
4 CSR 197-1.020	Board of Therapeutic Massage.....		25 MoReg 795		
4 CSR 197-1.030	Board of Therapeutic Massage.....		25 MoReg 795		
4 CSR 197-1.040	Board of Therapeutic Massage.....		25 MoReg 800		
4 CSR 197-2.010	Board of Therapeutic Massage.....		25 MoReg 800		
4 CSR 197-2.020	Board of Therapeutic Massage.....		25 MoReg 806		
4 CSR 197-2.030	Board of Therapeutic Massage.....		25 MoReg 810		
4 CSR 197-2.040	Board of Therapeutic Massage.....		25 MoReg 814		
4 CSR 197-2.050	Board of Therapeutic Massage.....		25 MoReg 818		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 197-3.010	Board of Therapeutic Massage		25 MoReg 822		
4 CSR 197-4.010	Board of Therapeutic Massage		25 MoReg 825		
4 CSR 197-4.020	Board of Therapeutic Massage		25 MoReg 829		
4 CSR 197-5.010	Board of Therapeutic Massage		25 MoReg 832		
4 CSR 197-5.020	Board of Therapeutic Massage		25 MoReg 832		
4 CSR 197-5.030	Board of Therapeutic Massage		25 MoReg 837		
4 CSR 197-5.040	Board of Therapeutic Massage		25 MoReg 842		
4 CSR 197-6.010	Board of Therapeutic Massage		25 MoReg 846		
4 CSR 197-6.020	Board of Therapeutic Massage		25 MoReg 849		
4 CSR 210-2.060	State Board of Optometry		22 MoReg 1443		
4 CSR 220-2.010	State Board of Pharmacy		This Issue		
4 CSR 220-2.018	State Board of Pharmacy		This Issue		
4 CSR 220-2.020	State Board of Pharmacy		This Issue		
4 CSR 220-2.036	State Board of Pharmacy		This Issue		
4 CSR 220-2.080	State Board of Pharmacy		This Issue		
4 CSR 220-2.100	State Board of Pharmacy		This Issue		
4 CSR 220-2.145	State Board of Pharmacy		This Issue		
4 CSR 220-4.010	State Board of Pharmacy		This Issue		
4 CSR 220-5.020	State Board of Pharmacy		This Issue		
4 CSR 220-5.030	State Board of Pharmacy		This Issue		
4 CSR 220-5.050	State Board of Pharmacy		This Issue		
4 CSR 220-5.070	State Board of Pharmacy		This Issue		
4 CSR 230-2.070	Board of Podiatric Medicine		25 MoReg 531		
4 CSR 235-1.020	State Committee of Psychologists		This Issue		
4 CSR 240-2.010	Public Service Commission		24 MoReg 2318R	25 MoReg 563R	
	.....		24 MoReg 2318	25 MoReg 563	
4 CSR 240-2.015	Public Service Commission		24 MoReg 2319	25 MoReg 565	
4 CSR 240-2.040	Public Service Commission		24 MoReg 2320R	25 MoReg 565R	
	.....		24 MoReg 2320	25 MoReg 565	
4 CSR 240-2.050	Public Service Commission		24 MoReg 2320R	25 MoReg 566R	
	.....		24 MoReg 2321	25 MoReg 566	
4 CSR 240-2.060	Public Service Commission		24 MoReg 2321R	25 MoReg 567R	
	.....		24 MoReg 2321	25 MoReg 567	
4 CSR 240-2.065	Public Service Commission		24 MoReg 2324R	25 MoReg 569R	
	.....		24 MoReg 2324	25 MoReg 569	
4 CSR 240-2.070	Public Service Commission		24 MoReg 2325R	25 MoReg 569R	
	.....		24 MoReg 2325	25 MoReg 570	
4 CSR 240-2.075	Public Service Commission		24 MoReg 2326R	25 MoReg 570R	
	.....		24 MoReg 2326	25 MoReg 570	
4 CSR 240-2.080	Public Service Commission		24 MoReg 2327R	25 MoReg 571R	
	.....		24 MoReg 2327	25 MoReg 571	
4 CSR 240-2.085	Public Service Commission		24 MoReg 2328	25 MoReg 573	
4 CSR 240-2.090	Public Service Commission		24 MoReg 2329R	25 MoReg 574R	
	.....		24 MoReg 2329	25 MoReg 574	
4 CSR 240-2.100	Public Service Commission		24 MoReg 2330R	25 MoReg 575R	
	.....		24 MoReg 2330	25 MoReg 575	
4 CSR 240-2.110	Public Service Commission		24 MoReg 2330R	25 MoReg 576R	
	.....		24 MoReg 2331	25 MoReg 576	
4 CSR 240-2.115	Public Service Commission		24 MoReg 2331R	25 MoReg 577R	
	.....		24 MoReg 2332	25 MoReg 577	
4 CSR 240-2.116	Public Service Commission		24 MoReg 2332R	25 MoReg 577R	
	.....		24 MoReg 2332	25 MoReg 577	
4 CSR 240-2.120	Public Service Commission		24 MoReg 2333R	25 MoReg 578R	
	.....		24 MoReg 2333	25 MoReg 578	
4 CSR 240-2.125	Public Service Commission		24 MoReg 2333R	25 MoReg 578R	
	.....		24 MoReg 2333	25 MoReg 578	
4 CSR 240-2.130	Public Service Commission		24 MoReg 2334R	25 MoReg 579R	
	.....		24 MoReg 2334	25 MoReg 579	
4 CSR 240-2.140	Public Service Commission		24 MoReg 2336R	25 MoReg 581R	
	.....		24 MoReg 2336	25 MoReg 581	
4 CSR 240-2.150	Public Service Commission		24 MoReg 2336R	25 MoReg 581R	
	.....		24 MoReg 2336	25 MoReg 581	
4 CSR 240-2.160	Public Service Commission		24 MoReg 2337R	25 MoReg 581R	
	.....		24 MoReg 2337	25 MoReg 582	
4 CSR 240-2.170	Public Service Commission		24 MoReg 2338R	25 MoReg 582R	
4 CSR 240-2.180	Public Service Commission		24 MoReg 2338R	25 MoReg 582R	
	.....		24 MoReg 2338	25 MoReg 582	
4 CSR 240-2.200	Public Service Commission		24 MoReg 2339R	25 MoReg 583R	
	.....		24 MoReg 2339	25 MoReg 583	
4 CSR 240-32.110	Public Service Commission		24 MoReg 2341	25 MoReg 584	
4 CSR 240-32.120	Public Service Commission		24 MoReg 2344	25 MoReg 586	
4 CSR 240-33.010	Public Service Commission		24 MoReg 2347R	25 MoReg 699R	
	.....		24 MoReg 2347	25 MoReg 699	
4 CSR 240-33.020	Public Service Commission		24 MoReg 2347R	25 MoReg 700R	
	.....		24 MoReg 2348	25 MoReg 700	
4 CSR 240-33.040	Public Service Commission		24 MoReg 2351R	25 MoReg 702R	
	.....		24 MoReg 2351	25 MoReg 702	
4 CSR 240-33.050	Public Service Commission		24 MoReg 2355R	25 MoReg 706R	
	.....		24 MoReg 2355	25 MoReg 706	
4 CSR 240-33.060	Public Service Commission		24 MoReg 2359R	25 MoReg 709R	
	.....		24 MoReg 2359	25 MoReg 709	
4 CSR 240-33.070	Public Service Commission		24 MoReg 2362R	25 MoReg 711R	
	.....		24 MoReg 2362	25 MoReg 711	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 240-33.080	Public Service Commission	24	MoReg 2367R	25	MoReg 715R
4 CSR 240-33.090	Public Service Commission	24	MoReg 2367	25	MoReg 715
4 CSR 240-33.100	Public Service Commission	24	MoReg 2371R	25	MoReg 717R
4 CSR 240-33.110	Public Service Commission	24	MoReg 2371	25	MoReg 717
4 CSR 240-33.120	Public Service Commission	24	MoReg 2371R	25	MoReg 717R
4 CSR 240-33.130	Public Service Commission	24	MoReg 2372	25	MoReg 717
4 CSR 240-33.140	Public Service Commission	24	MoReg 2372R	25	MoReg 718R
4 CSR 240-33.150	Public Service Commission	24	MoReg 2372	25	MoReg 718
4 CSR 250-8.020	Missouri Real Estate Commission	24	MoReg 2373	25	MoReg 718
4 CSR 250-8.070	Missouri Real Estate Commission	24	MoReg 2376	25	MoReg 719
4 CSR 250-8.090	Missouri Real Estate Commission	24	MoReg 2376	25	MoReg 720
4 CSR 250-8.095	Missouri Real Estate Commission	24	MoReg 2376	25	MoReg 720
4 CSR 250-8.096	Missouri Real Estate Commission	24	MoReg 2747T		
4 CSR 250-8.097	Missouri Real Estate Commission	25	MoReg 360		
4 CSR 250-8.160	Missouri Real Estate Commission	25	MoReg 360		
4 CSR 250-8.210	Missouri Real Estate Commission	25	MoReg 361		
4 CSR 255-1.040	Missouri Board for Respiratory Care	25	MoReg 363R		
4 CSR 255-2.040	Missouri Board for Respiratory Care	25	MoReg 363		
4 CSR 255-2.050	Missouri Board for Respiratory Care	25	MoReg 363		
4 CSR 255-2.060	Missouri Board for Respiratory Care	25	MoReg 365		
4 CSR 255-3.010	Missouri Board for Respiratory Care	25	MoReg 365		
4 CSR 255-4.010	Missouri Board for Respiratory Care	25	MoReg 365		

DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

5 CSR 30-345.010	Division of School Services	25	MoReg 533		
5 CSR 50-270.050	Division of Instruction	24	MoReg 877		
5 CSR 50-340.010	Division of Instruction	25	MoReg 533R		
5 CSR 80-800.400	Urban and Teacher Education	25	MoReg 533		
5 CSR 90-4.100	Vocational Rehabilitation	25	MoReg 367		
5 CSR 90-4.110	Vocational Rehabilitation	25	MoReg 367		
5 CSR 90-4.120	Vocational Rehabilitation	25	MoReg 368		
5 CSR 90-4.200	Vocational Rehabilitation	25	MoReg 368		
5 CSR 90-4.300	Vocational Rehabilitation	25	MoReg 370		
5 CSR 90-4.400	Vocational Rehabilitation	25	MoReg 370		
5 CSR 90-4.410	Vocational Rehabilitation	25	MoReg 371		
5 CSR 90-4.420	Vocational Rehabilitation	25	MoReg 371		
5 CSR 90-4.430	Vocational Rehabilitation	25	MoReg 374		
5 CSR 90-5.400	Vocational Rehabilitation	25	MoReg 376		
5 CSR 90-5.410	Vocational Rehabilitation	25	MoReg 379		
5 CSR 90-5.420	Vocational Rehabilitation	25	MoReg 379		
5 CSR 90-5.430	Vocational Rehabilitation	25	MoReg 382		
5 CSR 90-5.440	Vocational Rehabilitation	25	MoReg 384		
5 CSR 90-5.450	Vocational Rehabilitation	25	MoReg 387		
5 CSR 90-5.460	Vocational Rehabilitation	25	MoReg 389		

DEPARTMENT OF TRANSPORTATION

7 CSR 10-2.010	Highways and Transportation Commission	24	MoReg 1367R		
	.....	24	MoReg 1367		
	.....	24	MoReg 2919R	24	MoReg 2940R This IssueR
	.....	24	MoReg 2919	24	MoReg 2940 This Issue
7 CSR 10-6.010	Highways and Transportation Commission	24	MoReg 765		
7 CSR 10-6.015	Highways and Transportation Commission	24	MoReg 766		
7 CSR 10-6.040	Highways and Transportation Commission	24	MoReg 767		
7 CSR 10-6.050	Highways and Transportation Commission	24	MoReg 768		
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7 CSR 10-6.070	Highways and Transportation Commission	24	MoReg 770		
7 CSR 10-6.085	Highways and Transportation Commission	24	MoReg 773		
7 CSR 10-10.010	Highways and Transportation Commission	24	MoReg 2932	24	MoReg 2956 This Issue
7 CSR 10-10.040	Highways and Transportation Commission	24	MoReg 2933	24	MoReg 2957 This Issue
7 CSR 10-10.050	Highways and Transportation Commission	24	MoReg 2933	24	MoReg 2957 This Issue
7 CSR 10-10.070	Highways and Transportation Commission	24	MoReg 2934	24	MoReg 2958 This Issue
7 CSR 10 14.010	Highways and Transportation Commission	25	MoReg 635		
7 CSR 10 14.020	Highways and Transportation Commission	25	MoReg 629	25	MoReg 639
7 CSR 10 14.030	Highways and Transportation Commission	25	MoReg 629	25	MoReg 639
7 CSR 10 14.040	Highways and Transportation Commission	25	MoReg 630	25	MoReg 640
7 CSR 10 14.050	Highways and Transportation Commission	25	MoReg 640		
7 CSR 10 14.060	Highways and Transportation Commission	25	MoReg 641		

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8 CSR 50-2.030	Workers' Compensation	25	MoReg 536R		
	25	MoReg 536		
8 CSR 50-4.010	Workers' Compensation	25	MoReg 537R		
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8 CSR 60-3.040	Commission on Human Rights	24	MoReg 2565	25	MoReg 598RUC
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9 CSR 10-7.010	Director, Department of Mental Health				24 MoReg 2875RUC
9 CSR 10-7.020	Director, Department of Mental Health				24 MoReg 2877RUC
9 CSR 10-7.030	Director, Department of Mental Health				24 MoReg 2879RUC
9 CSR 10-7.040	Director, Department of Mental Health				24 MoReg 2881RUC
9 CSR 10-7.050	Director, Department of Mental Health				24 MoReg 2881RUC
9 CSR 10-7.060	Director, Department of Mental Health				24 MoReg 2883RUC
9 CSR 10-7.070	Director, Department of Mental Health				24 MoReg 2884RUC
9 CSR 10-7.080	Director, Department of Mental Health				24 MoReg 2885RUC
9 CSR 10-7.090	Director, Department of Mental Health				24 MoReg 2886RUC
9 CSR 10-7.100	Director, Department of Mental Health				24 MoReg 2887RUC
9 CSR 10-7.110	Director, Department of Mental Health				24 MoReg 2887RUC
9 CSR 10-7.120	Director, Department of Mental Health				24 MoReg 2890RUC
9 CSR 10-7.130	Director, Department of Mental Health				24 MoReg 2891RUC
9 CSR 25-4.040	Fiscal Management		24 MoReg 2386		
			25 MoReg 641		
9 CSR 45-5.040	Mental Retardation and Developmental Disabilities		24 MoReg 2389		
			25 MoReg 644		
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10 CSR					24 MoReg 1693
10 CSR 10-2.010	Air Conservation Commission				24 MoReg 420
10 CSR 10-2.060	Air Conservation Commission		24 MoReg 2588R	...This IssueR	
10 CSR 10-3.080	Air Conservation Commission		24 MoReg 2588R	...This IssueR	
10 CSR 10-4.060	Air Conservation Commission		24 MoReg 2589R	...This IssueR	
10 CSR 10-5.070	Air Conservation Commission		24 MoReg 2224		
10 CSR 10-5.090	Air Conservation Commission		24 MoReg 2589R	...This IssueR	
10 CSR 10-5.380	Air Conservation Commission	24 MoReg 2935	25 MoReg 14		
10 CSR 10-5.390	Air Conservation Commission		25 MoReg 264		
10 CSR 10-5.451	Air Conservation Commission		25 MoReg 649		
10 CSR 10-5.490	Air Conservation Commission		24 MoReg 2680		
10 CSR 10-6.020	Air Conservation Commission		24 MoReg 2629	...This Issue	
10 CSR 10-6.065	Air Conservation Commission		24 MoReg 2630	...This Issue	
10 CSR 10-6.170	Air Conservation Commission		22 MoReg 2129		
10 CSR 10-6.310	Air Conservation Commission		24 MoReg 2686		
10 CSR 10-6.350	Air Conservation Commission		25 MoReg 640		
10 CSR 10-6.400	Air Conservation Commission		25 MoReg 391		
10 CSR 20-7.015	Clean Water Commission		25 MoReg 264		
10 CSR 45-1.010	Metallic Minerals		24 MoReg 2049		
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10 CSR 45-2.010	Metallic Minerals		24 MoReg 2049		
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10 CSR 45-3.010	Metallic Minerals		24 MoReg 1258R		
			24 MoReg 1258		
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10 CSR 45-6.010	Metallic Minerals		24 MoReg 2049		
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10 CSR 45-6.020	Metallic Minerals		24 MoReg 2049		
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10 CSR 45-6.030	Metallic Minerals		24 MoReg 2050		
			This Issue		
10 CSR 60-2.015	Public Drinking Water Program		25 MoReg 147		
10 CSR 60-4.010	Public Drinking Water Program		25 MoReg 148		
10 CSR 60-4.050	Public Drinking Water Program		25 MoReg 152		
10 CSR 60-4.055	Public Drinking Water Program		25 MoReg 156		
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10 CSR 60-5.010	Public Drinking Water Program		25 MoReg 539		
10 CSR 60-5.020	Public Drinking Water Program		25 MoReg 176		
10 CSR 60-7.010	Public Drinking Water Program		25 MoReg 181		
10 CSR 60-8.010	Public Drinking Water Program		25 MoReg 187		
10 CSR 80-9.040	Solid Waste Management		25 MoReg 191		
10 CSR 80-9.050	Solid Waste Management		25 MoReg 197		
10 CSR 140-2	Division of Energy				24 MoReg 2243
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11 CSR 30-9.010	Office of the Director	25 MoReg 751	25 MoReg 852		
11 CSR 30-9.020	Office of the Director	25 MoReg 751	25 MoReg 852		
11 CSR 30-9.030	Office of the Director	25 MoReg 752	25 MoReg 852		
11 CSR 30-9.040	Office of the Director	25 MoReg 752	25 MoReg 853		
11 CSR 30-9.050	Office of the Director	25 MoReg 753	25 MoReg 853		
11 CSR 45-5.010	Missouri Gaming Commission		25 MoReg 268		
11 CSR 45-5.051	Missouri Gaming Commission		25 MoReg 273		
11 CSR 45-5.053	Missouri Gaming Commission		25 MoReg 853		
11 CSR 45-9.030	Missouri Gaming Commission		24 MoReg 2765	...This Issue	
11 CSR 45-10.035	Missouri Gaming Commission		25 MoReg 278		
11 CSR 45-10.150	Missouri Gaming Commission	24 MoReg 2936	24 MoReg 2961		
11 CSR 45-13.055	Missouri Gaming Commission	24 MoReg 2124	24 MoReg 2144		
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11 CSR 45-17.030	Missouri Gaming Commission		25 MoReg 854		
11 CSR 45-30.180	Missouri Gaming Commission		24 MoReg 2768	...This Issue	

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11 CSR 45-30.190	Missouri Gaming Commission		24 MoReg 2768	This Issue	
11 CSR 45-30.210	Missouri Gaming Commission		24 MoReg 2768	This Issue	
11 CSR 45-30.220	Missouri Gaming Commission		24 MoReg 2769	This Issue	
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11 CSR 45-30.370	Missouri Gaming Commission		24 MoReg 2769	This Issue	
11 CSR 50-2.080	Missouri State Highway Patrol		25 MoReg 554		
11 CSR 50-2.090	Missouri State Highway Patrol		25 MoReg 554		
11 CSR 50-2.100	Missouri State Highway Patrol		25 MoReg 554		
11 CSR 50-2.150	Missouri State Highway Patrol	25 MoReg 475	25 MoReg 554		
11 CSR 50-2.160	Missouri State Highway Patrol	25 MoReg 475	25 MoReg 555		
11 CSR 50-2.290	Missouri State Highway Patrol	25 MoReg 476	25 MoReg 555		
11 CSR 50-2.320	Missouri State Highway Patrol		25 MoReg 556		
11 CSR 50-2.350	Missouri State Highway Patrol	24 MoReg 2747R	24 MoReg 2770R	25 MoReg 720R	
11 CSR 50-2.360	Missouri State Highway Patrol	24 MoReg 2747R	24 MoReg 2770R	25 MoReg 720R	
11 CSR 50-2.370	Missouri State Highway Patrol	24 MoReg 2748R	24 MoReg 2771R	25 MoReg 720R	
11 CSR 50-2.380	Missouri State Highway Patrol	24 MoReg 2748R	24 MoReg 2771R	25 MoReg 720R	
11 CSR 50-2.390	Missouri State Highway Patrol	24 MoReg 2749R	24 MoReg 2771R	25 MoReg 721R	
11 CSR 50-2.400	Missouri State Highway Patrol	25 MoReg 253	25 MoReg 282		
11 CSR 50-2.401	Missouri State Highway Patrol	24 MoReg 2749R	24 MoReg 2772R	25 MoReg 721R	
11 CSR 50-2.402	Missouri State Highway Patrol	24 MoReg 2749R	24 MoReg 2772R	25 MoReg 721R	
11 CSR 50-2.403	Missouri State Highway Patrol	24 MoReg 2750R	24 MoReg 2772R	25 MoReg 721R	
11 CSR 50-2.404	Missouri State Highway Patrol	24 MoReg 2750R	24 MoReg 2772R	25 MoReg 721R	
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11 CSR 50-2.420	Missouri State Highway Patrol	24 MoReg 2752R	24 MoReg 2774R	25 MoReg 722R	
11 CSR 50-2.430	Missouri State Highway Patrol		25 MoReg 556		
11 CSR 50-2.440	Missouri State Highway Patrol		25 MoReg 557		
11 CSR 60-1.070	Division of Highway Safety		25 MoReg 18	This Issue	
11 CSR 75-2.010	Peace Officer Standards and Training		25 MoReg 664		
11 CSR 75-3.010	Peace Officer Standards and Training		24 MoReg 2963	25 MoReg 888	
11 CSR 75-3.020	Peace Officer Standards and Training		24 MoReg 2963	25 MoReg 888	
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11 CSR 75-3.030	Peace Officer Standards and Training		24 MoReg 2963	25 MoReg 888	
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11 CSR 75-3.050	Peace Officer Standards and Training		24 MoReg 2967	25 MoReg 888	
11 CSR 75-3.060	Peace Officer Standards and Training		24 MoReg 2967	25 MoReg 889	
11 CSR 75-3.070	Peace Officer Standards and Training		24 MoReg 2968	25 MoReg 889	
11 CSR 75-3.080	Peace Officer Standards and Training		24 MoReg 2968	25 MoReg 889	
11 CSR 75-5.040	Peace Officer Standards and Training		25 MoReg 665		
11 CSR 75-10.010	Peace Officer Standards and Training		24 MoReg 2969	25 MoReg 889	
11 CSR 75-10.020	Peace Officer Standards and Training		24 MoReg 2969	25 MoReg 889	
11 CSR 75-10.030	Peace Officer Standards and Training		24 MoReg 2969	25 MoReg 889	
11 CSR 75-10.040	Peace Officer Standards and Training		24 MoReg 2970	25 MoReg 890	
11 CSR 75-10.050	Peace Officer Standards and Training		24 MoReg 2970	25 MoReg 890	
11 CSR 75-10.060	Peace Officer Standards and Training		24 MoReg 2970	25 MoReg 890	
11 CSR 75-10.090	Peace Officer Standards and Training		24 MoReg 2971R	25 MoReg 890R	
11 CSR 75-10.100	Peace Officer Standards and Training		24 MoReg 2971	25 MoReg 890	
11 CSR 75-11.035	Peace Officer Standards and Training		25 MoReg 665		
11 CSR 75-11.040	Peace Officer Standards and Training	24 MoReg 2937	24 MoReg 2972	25 MoReg 890	
11 CSR 75-11.060	Peace Officer Standards and Training		25 MoReg 666		
11 CSR 75-11.070	Peace Officer Standards and Training		25 MoReg 666		
11 CSR 80-1.010	Missouri State Water Patrol		25 MoReg 290		
11 CSR 80-2.010	Missouri State Water Patrol		25 MoReg 290		
11 CSR 80-3.010	Missouri State Water Patrol		25 MoReg 291		
11 CSR 80-3.020	Missouri State Water Patrol		25 MoReg 291		
11 CSR 80-4.010	Missouri State Water Patrol		25 MoReg 291		
11 CSR 80-5.010	Missouri State Water Patrol		24 MoReg 2774	25 MoReg 722	
11 CSR 80-6.010	Missouri State Water Patrol		25 MoReg 292		
11 CSR 80-7.010	Missouri State Water Patrol		25 MoReg 292		
11 CSR 80-8.010	Missouri State Water Patrol		25 MoReg 292		
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12 CSR	Construction Transient Employers				24 MoReg 2087
12 CSR 10-2.015	Director of Revenue	25 MoReg 5	25 MoReg 18		
12 CSR 10-3.460	Director of Revenue	25 MoReg 144			
12 CSR 10-5.015	Director of Revenue		24 MoReg 2973R	25 MoReg 891R	
12 CSR 10-5.020	Director of Revenue		24 MoReg 2973R	25 MoReg 891R	
12 CSR 10-5.035	Director of Revenue		24 MoReg 2974R	25 MoReg 891R	
12 CSR 10-5.105	Director of Revenue		24 MoReg 2974R	25 MoReg 891R	
12 CSR 10-5.520	Director of Revenue		24 MoReg 2974R	25 MoReg 891R	
12 CSR 10-11.030	Director of Revenue		24 MoReg 2974R	25 MoReg 891R	
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12 CSR 10-11.200	Director of Revenue		24 MoReg 2975R	25 MoReg 892R	
12 CSR 10-11.210	Director of Revenue		24 MoReg 2976R	25 MoReg 892R	
12 CSR 10-11.220	Director of Revenue		24 MoReg 2976R	This IssueR	
12 CSR 10-11.230	Director of Revenue		24 MoReg 2976R	25 MoReg 892R	
12 CSR 10-23.100	Director of Revenue		25 MoReg 557		
12 CSR 10-23.450	Director of Revenue		24 MoReg 2775	25 MoReg 893	

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12 CSR 10-25.090	Director of Revenue		25 MoReg 392R		
12 CSR 10-26.010	Director of Revenue		24 MoReg 2776	25 MoReg 893	
12 CSR 10-26.020	Director of Revenue		24 MoReg 2779	This Issue	
12 CSR 10-26.030	Director of Revenue		24 MoReg 2781	25 MoReg 893	
12 CSR 10-26.040	Director of Revenue		24 MoReg 2784	25 MoReg 893	
12 CSR 10-26.050	Director of Revenue		24 MoReg 2787	25 MoReg 893	
12 CSR 10-26.060	Director of Revenue		24 MoReg 2789	This Issue	
12 CSR 10-26.070	Director of Revenue		24 MoReg 2791	25 MoReg 894	
12 CSR 10-26.080	Director of Revenue		24 MoReg 2793	25 MoReg 894	
12 CSR 10-26.090	Director of Revenue		24 MoReg 2795	25 MoReg 894	
12 CSR 10-26.100	Director of Revenue		24 MoReg 2797	This Issue	
12 CSR 10-26.110	Director of Revenue		24 MoReg 2799	25 MoReg 894	
12 CSR 10-26.120	Director of Revenue		24 MoReg 2801	25 MoReg 894	
12 CSR 10-26.130	Director of Revenue		24 MoReg 2803	25 MoReg 894	
12 CSR 10-26.140	Director of Revenue		24 MoReg 2805	25 MoReg 895	
12 CSR 10-26.150	Director of Revenue		24 MoReg 2807	25 MoReg 895	
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12 CSR 10-101.500	Director of Revenue		25 MoReg 19		
12 CSR 10-103.200	Director of Revenue		25 MoReg 292		
12 CSR 10-103.610	Director of Revenue		25 MoReg 293		
12 CSR 10-103.360	Director of Revenue		24 MoReg 2977	25 MoReg 895	
12 CSR 10-103.390	Director of Revenue		24 MoReg 2978	25 MoReg 895	
12 CSR 10-103.500	Director of Revenue		24 MoReg 2979	25 MoReg 896	
12 CSR 10-109.050	Director of Revenue		24 MoReg 2980	This Issue	
12 CSR 10-110.013	Director of Revenue <i>Changed from 12 CSR 10-111.013</i>		24 MoReg 2632	25 MoReg 588	
12 CSR 10-110.900	Director of Revenue		25 MoReg 20		
12 CSR 10-110.910	Director of Revenue		25 MoReg 294		
12 CSR 10-110.920	Director of Revenue		25 MoReg 295		
12 CSR 10-111.013	Director of Revenue <i>Changed to 12 CSR 10-110.013</i>		24 MoReg 2632	25 MoReg 558	
12 CSR 10-111.060	Director of Revenue		25 MoReg 23		
12 CSR 10-112.300	Director of Revenue		24 MoReg 2981	25 MoReg 896	
12 CSR 30-1.030	State Tax Commission		24 MoReg 2695	This Issue	
12 CSR 30-2.017	State Tax Commission		24 MoReg 2696R	This IssueR	
12 CSR 30-2.018	State Tax Commission		24 MoReg 2702	This Issue	
12 CSR 30-4.010	State Tax Commission		25 MoReg 296		
12 CSR 40-40.090	State Lottery		25 MoReg 392		
12 CSR 40-60.020	State Lottery		25 MoReg 393		
12 CSR 60-1.010	Motor Vehicle Commission		24 MoReg 2702R	25 MoReg 558R	
12 CSR 60-1.020	Motor Vehicle Commission		24 MoReg 2702R	25 MoReg 558R	
12 CSR 60-1.030	Motor Vehicle Commission		24 MoReg 2702R	25 MoReg 589R	
12 CSR 60-1.040	Motor Vehicle Commission		24 MoReg 2703R	25 MoReg 589R	
12 CSR 60-1.050	Motor Vehicle Commission		24 MoReg 2703R	25 MoReg 589R	
12 CSR 60-1.060	Motor Vehicle Commission		24 MoReg 2703R	25 MoReg 589R	
12 CSR 60-2.010	Motor Vehicle Commission		24 MoReg 2704R	25 MoReg 589R	
12 CSR 60-2.020	Motor Vehicle Commission		24 MoReg 2704R	25 MoReg 589R	
12 CSR 60-2.030	Motor Vehicle Commission		24 MoReg 2704R	25 MoReg 590R	
12 CSR 60-2.040	Motor Vehicle Commission		24 MoReg 2704R	25 MoReg 590R	
12 CSR 60-2.050	Motor Vehicle Commission		24 MoReg 2705R	25 MoReg 590R	
12 CSR 60-2.060	Motor Vehicle Commission		24 MoReg 2705R	25 MoReg 590R	
12 CSR 60-2.070	Motor Vehicle Commission		24 MoReg 2705R	25 MoReg 590R	
12 CSR 60-2.080	Motor Vehicle Commission		24 MoReg 2705R	25 MoReg 590R	
12 CSR 60-2.090	Motor Vehicle Commission		24 MoReg 2706R	25 MoReg 591R	
12 CSR 60-2.100	Motor Vehicle Commission		24 MoReg 2706R	25 MoReg 591R	
12 CSR 60-2.110	Motor Vehicle Commission		24 MoReg 2706R	25 MoReg 591R	
12 CSR 60-2.120	Motor Vehicle Commission		24 MoReg 2706R	25 MoReg 591R	
12 CSR 60-2.130	Motor Vehicle Commission		24 MoReg 2707R	25 MoReg 591R	
12 CSR 60-2.140	Motor Vehicle Commission		24 MoReg 2707R	25 MoReg 591R	
12 CSR 60-2.150	Motor Vehicle Commission		24 MoReg 2707R	25 MoReg 592R	
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12 CSR 60-4.030	Motor Vehicle Commission		24 MoReg 2709R	25 MoReg 593R	
12 CSR 60-4.040	Motor Vehicle Commission		24 MoReg 2709R	25 MoReg 593R	
12 CSR 60-4.050	Motor Vehicle Commission		24 MoReg 2710R	25 MoReg 593R	
12 CSR 60-4.060	Motor Vehicle Commission		24 MoReg 2710R	25 MoReg 593R	
12 CSR 60-4.070	Motor Vehicle Commission		24 MoReg 2710R	25 MoReg 593R	
12 CSR 60-4.080	Motor Vehicle Commission		24 MoReg 2710R	25 MoReg 593R	
12 CSR 60-5.010	Motor Vehicle Commission		24 MoReg 2711R	25 MoReg 594R	

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13 CSR 15-4.050	Division of Aging		25 MoReg 666		
13 CSR 15-14.042	Division of Aging		25 MoReg 673		
13 CSR 15-15.022	Division of Aging		25 MoReg 855		
13 CSR 30-9.010	Child Support Enforcement		25 MoReg 674		
13 CSR 40-19.020	Division of Family Services	24 MoReg 2270	24 MoReg 2394	25 MoReg 594	
13 CSR 40-80.010	Division of Family Services		24 MoReg 2395	25 MoReg 594	
13 CSR 70-3.020	Medical Services		24 MoReg 1742		

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13 CSR 70-3.030	Medical Services		24 MoReg 1743		
13 CSR 70-3.130	Medical Services		24 MoReg 1747		
13 CSR 70-10.110	Medical Services		25 MoReg 867		
13 CSR 70-15.010	Medical Services		24 MoReg 2408	25 MoReg 594	
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		25 MoReg 204		
13 CSR 70-15.110	Medical Services		This Issue		
13 CSR 73-2.015	Board of Nursing Home Administrators	24 MoReg 2752	24 MoReg 2813	25 MoReg 722	
13 CSR 73-2.020	Board of Nursing Home Administrators	24 MoReg 2753	24 MoReg 2816	25 MoReg 723	
13 CSR 73-2.070	Board of Nursing Home Administrators	24 MoReg 2753	24 MoReg 2819	25 MoReg 723	
13 CSR 110-1.010	Division of Youth Services		25 MoReg 678		
13 CSR 110-2.010	Division of Youth Services		25 MoReg 678		
13 CSR 110-2.020	Division of Youth Services		25 MoReg 679		
13 CSR 110-2.030	Division of Youth Services		25 MoReg 679		
13 CSR 110-2.040	Division of Youth Services		25 MoReg 680		
13 CSR 110-2.050	Division of Youth Services		25 MoReg 681		
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13 CSR 110-2.080	Division of Youth Services		25 MoReg 683		
13 CSR 110-2.090	Division of Youth Services		25 MoReg 683R		
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13 CSR 110-3.010	Division of Youth Services		25 MoReg 687		
13 CSR 110-3.015	Division of Youth Services		25 MoReg 688		
13 CSR 110-3.020	Division of Youth Services		25 MoReg 688		
13 CSR 110-3.030	Division of Youth Services		25 MoReg 689		
13 CSR 110-3.040	Division of Youth Services		25 MoReg 690		
13 CSR 110-3.050	Division of Youth Services		25 MoReg 691		
13 CSR 110-3.060	Division of Youth Services		25 MoReg 693		
13 CSR 110-5.010	Division of Youth Services		25 MoReg 693		
13 CSR 110-6.010	Division of Youth Services		25 MoReg 694		

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15 CSR 60-11.010	Attorney General	24 MoReg 1103
15 CSR 60-11.020	Attorney General	24 MoReg 1104

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16 CSR 10-4.014	Public School Retirement System	24 MoReg 2822	25 MoReg 723
16 CSR 10-6.020	Public School Retirement System	25 MoReg 24	This Issue
16 CSR 10-6.045	Public School Retirement System	24 MoReg 2822	25 MoReg 723
16 CSR 30-2.030	Missouri State Employees' Retirement System	This IssueR	
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